



Minutes

Colorado Commission of Indian Affairs 3rd Quarterly Meeting

Date: March 22, 2018

Location: History Colorado, Denver, Colorado

CCIA Members Present: Lieutenant Governor Donna Lynne, Chair; Chairman Harold Cuthair, Ute Mountain Ute Tribe; Juanita Plentyholes, Ute Mountain Ute Tribe; Chairman Christine Baker Sage, Southern Ute Indian Tribe; Councilman Adam Red, Southern Ute Indian Tribe; Web Brown, CDPHE; Dr. Larry Wolk, CDPHE; Lucille Echohawk, Member-At-Large; Sheldon Spotted Elk, Member-At-Large; Chantalle Hanschu, CDHS; Bob Randall, DNR; Irv Halter, DOLA

CCIA Ex-Officio Members Present: Georgina Owen, CDE; Marguerite Salazar, DORA; Ernest House Jr., CCIA; Jose Esquibel, Office of the Attorney General; Joshua Montoya, HCPF; Dr. Rocco Fuschetto; Michael P. Lewis, CDOT

<i>Agenda Topic/Narrative</i>	<i>Decision</i>	<i>Time Frame/ Person Responsible</i>
<p>Meeting Convened: Lt. Governor Lynne called the meeting to order at 9:00 am and welcomed all in attendance. Mr. Edward Box provided the invocation.</p>		
<p>Quorum Established: Quorum was established and meeting materials reviewed.</p>		
<p>Approval of Agenda/Minutes: Motion made and seconded to approve the 2nd Quarterly meeting minutes.</p>	Motion was approved unanimously	
<p>Executive Director Report: Ernest House, Jr. presented the Executive Director Report and provided an update on the meeting packet and agenda items.</p>		
<p>Southern Ute Indian Tribal Comments: Chairwoman Christine Sage presented updates for SUIT. She</p>		

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<p>communicated that a headdress was presented and returned to the family of Buckskin Charlie and will be displayed in the Southern Ute Cultural Center in Ignacio, CO. She conveyed that SUIIT is working on updating its tribal traffic codes. She also announced an afterschool financial literacy class. Chairwoman Sage announced that Kevin Frost resigned from his position as councilmember to accept a position in Washington D.C., and that SUIIT will be holding a special election April 20th to fill his seat. Chairwoman Sage also announced that SUIIT is continuing its strategic plan and preparing for a general meeting for tribal membership coming up soon.</p> <p>Councilman Adam Red communicated that the SUIIT is working to address school safety with updates to current alert systems that enable building lockdowns and installations of ballistic film on windows. He also asked for an update on the status of Tribal Identification Cards from the Colorado Department of Revenue.</p>	<p>Update on SUIIT Tribal Identification</p>	<p>Ernest House</p>
<p>Ute Mountain Ute Tribal Comments:</p> <p>Councilwoman Juanita Plentyholes announced that the UMUT is updating its tribal codes and policies. The UMUT is updating its personnel policy manual which has been moved to section 17 with the UMUT’s enterprises. Work is being done to help tribal members understand the intent of this and the tribe’s position regarding enterprises. UMUT has a number of job openings including a social services director, human resources director, and a Head Start director. Councilwoman Plentyholes communicated that it’s difficult to find qualified individuals for the positions. The opening for an economic development director is a priority for the Tribe.</p> <p>Councilwoman Plentyholes also announced that the Tribe re-nominated her to represent the UMUT at US Health and Human Services Albuquerque, NM region. She noted that folks are preparing for the HHS consultations for regions 7 and 8. Councilwoman Plentyholes mentioned that she started going to some of the consultations on the Utah side to see how UMUT might help their Utah residents. UMUT is working with state and federal programs to help ensure access to needed services. Councilwoman Plentyholes also expressed confusion surrounding the plethora of health programming as many agencies are funding a variety of programs. She conveyed that it is difficult to keep track of available programming and which agencies are implementing which programs. Councilwoman Plentyholes thanked Chantalle Hanschu for her assistance navigating this information. Councilwoman Plentyholes expressed UMUT’s</p>		

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<p>concern that Navigator funding was cut. She also expressed the need to make sure that the tribe is able to educate its members regarding policy and policy changes generally speaking and in relation to Medicaid in particular. She mentioned that tribal members sometimes don't want to pay out of pocket because they feel that tribal treaties should result in the provision of adequate healthcare services. Individuals not eligible for Medicaid tend to rely on IHS services.</p> <p>Councilwoman Plentyholes communicated that Lake Nighthorse is opening on April 1st even though the tribes do not want the lake to be opened to recreation. She communicated that the lake is part of UMUT's water rights and the original plan was to build a pipe to bring water to the Eastern side of the UMUT reservation. The tribe is still trying to find ways to get water delivered to the reservation.</p> <p>Councilwoman Plentyholes communicated that the tribe has MOUs they need to finalize (for example, in relation to the Brunot Agreements). She conveyed that federal agencies have treaty obligations to the tribe but often give jurisdiction to States. This can be problematic since States don't seem to know how to deal with a lot of these issues. Councilwoman Plentyholes also communicated that the Tribe would like updates regarding the possibility of free fishing licenses. Bob Randall from DNR mentioned he could provide updates on conversations that have occurred to date regarding the topic.</p> <p>Councilwoman Plentyholes also commented on the UMUT's Education department. She communicated that the UMUT is still working with the local school district. She reported that during the past few years, about 30 kids were graduating per year. This figure has dropped to approximately 12 kids per year. This drop in the number of students graduating is a huge concern for the Tribe. Councilwoman Plentyholes communicated that since the school is off the reservation, the tribe does not have jurisdiction. She also communicated that the Tribe does have MOUs with the school which allows for information exchange between the tribe and school. However, there is still much work to be done and the UMUT's education department can only do so much. Councilwoman Plentyholes also reported that the UMUT is working to develop policies to support school safety. To this end, the tribe is working with law enforcement, council, and the school district.</p>		
<p>Commissioners/Ex-Officio Member Comments:</p> <p>Ms. Lucille Echohawk mentioned the successful relocation of Denver Indian Health and Family Services (DIHFS) to a place that is closer to American Indian/Alaska Native communities and that the DIHFS open</p>		

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<p>house is coming up. Adrienne Maddux, Executive Director for DIHFS, reported that the number of patients has increased to about 10 new patients daily and that DIHFS is hoping to expand their projects, programs, and services. DIHFS is in the process of implementing a pharmacy pilot program.</p> <p>Superintendent for Ignacio School District, Rocco Fuschetto, announced efforts to encourage more students to apply for college. He expressed thanks to legacy schools which have seen success in supporting students in graduating from college. Mr. Fuschetto reported that the school board met with the SUIT council two weeks ago. Attendance is a challenge and folks are continuing to work on updating truancy codes. School security is also a concern and meetings are scheduled with SUIT, the fire department, and the Ignacio police department to coordinate a response to threats that may present themselves in the future. Mr. Fuschetto also announced a scholarship for Fort Lewis college designated specifically for Ignacio school district students.</p> <p>Region 8 Director for HHS, Dr. Brian Shiozawa inquired if the same STR grant would be available to SUIT once folks get involved and get proper documentation. He communicated that SUIT has drafted a plan for how dollars will be used but that there is not a contract in place for the planning part of the grant. Dr. Shiozawa asked consultation attendees to consider if the money available through the grant is sufficient to do the necessary work to address the opioid crisis. Dr. Shiozawa mentioned the possibility of coordinating with the tribes to voice this position at the upcoming HHS consultation in Denver. Dr. Shiozawa also expressed his intention to ensure that HHS fulfills its statutory obligation to provide services to Native American people in the United States. He reported that the President and HHS Secretary discussed the opioid crisis and are considering tackling prescription drug problems. Actions include decreasing the amount of drugs prescribed by 30% and ensuring that federal providers, IHS included and all federal reimbursement mechanisms are aware of evidence based guidelines in terms of prescribing painkillers. Mr. Shiozawa communicated that the FDA is suggesting medical societies develop guidelines and put these in prescription inserts and decrease the number of online prescriptions. Another potential intervention would enable emergency rooms to access a database so that providers can access a patient's prescription history. Dr. Shiozawa also announced the consideration regarding how HHS can provide funding in terms of data collection, research, treatment and recovery for citizens.</p>		

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<p>Chantalle Hanschu (CDHS) provided updates regarding the Indian Child Welfare Act (ICWA). Funding has been set aside for child welfare and intervention services. Additional money is also available for prevention efforts. Core services dollars have also been set aside for both tribes. For example, if there is a family who needs substances abuse support, dollars can be used to prevent out of home placement, coaching, and home based services. Lucille Echohawk inquired if these funds could be used for urban Indian populations. Ms. Hanschu communicated that child development funds are also available to provide services. As part of funding, the State is required to submit a multiyear plan. The state is interested in hearing the Tribes' perspective on needed services and gaps in services and resources. Previous conversations revealed topics of salience including increased background checks, increased training for providers, and a simpler way to become a licensed childcare provider.</p> <p>Councilwoman Plentyholes discussed ICWA and that the issue is the initial notification period which doesn't give tribe's sufficient time to provide responses. Councilwoman Plentyholes communicate that there is a need for education to the State and Feds regarding the interpretation of ICWA and addressing kids who fall through the system cracks. She also conveyed that Utah encounters similar challenges. It was communicated that Ms. Redhorse would be meeting with folks as soon as possible. Mr. Sheldon Spotted Elk mentioned a training to attorneys in La Plata County regarding issues surrounding the identification of children who might be eligible for enrollment. Mr. Spotted Elk commented that Colorado is working to address this and that he is pleased with some of the work the court of appeals is doing around this issue. Mr. Jose Esquibel (Attorney General Office) mentioned the need to follow up with the Lieutenant Governor regarding ICWA and that a meeting to accomplish this is scheduled for next week.</p> <p>Mr. Esquibel commented that Colorado has one of the most comprehensive, coordinated approaches to address the opioid crisis. He referenced State activities and the vertical alignment of activities which includes work with communities and the Colorado Consortium of Prescription drugs. Mr. Esquibel also expressed strong interested in learning about the impact on opioids on tribes. Mr. Esquibel announced that the Attorney General's office is in the process of looking at culpability and would like to reach out to tribal leaders and anyone they would recommend to assess the impact of opioids on the</p>	<p>Councilwoman Plentyholes asked if CDHS could arrange for Ms. Kathryn Redhorse to visit the tribes.</p>	<p>Chantalle Hanschu</p>

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<p>tribal reservations. Mr. Esquibel also asked the UMUT and SUI if they have been approached by folks regarding the opioid crisis. He communicated that private sector entities have been reaching out to tribes. Attorney General Cynthia Coffman commented that tribes should not pay these entities for legal services in relation to the opioid crises since the state will already be providing such services. Mr. Esquibel and Ms. Coffman encouraged the UMUT and SUI to contact the AG's office in relation to legal matters surrounding the opioid crisis and any questions they might have.</p> <p>Mr. Web Brown (CDPHE) reported on the Health Equity Commission at CDPHE which is charged with considering how to effectively engage underserved and marginalized communities throughout the state. Mr. Brown announced 5 current openings on the commission. Commission members serve for a 4 year term and meet on a quarterly basis. Applications will become available next week and will be sent to the tribes. Meetings are typically held in Denver but the commission is considering hosting meetings in different parts of the State in order to make participation more accessible to folks living outside of the Denver area.</p> <p>Ms. Barbara Martin distributed handouts and provided updates from the State Innovation Model (SIM). Ms. Martin announced that SIM is in the process of developing a narrative to propose their Medicare and Medicaid initiative to the Federal government. The aim of the initiative would be to better integrate behavioral and physical health. There are 2 years remaining for the initiative. The SIM team plans to work with the new tribal Liaisons at HCPF to identify opportunities. Currently there are 246 active primary care practices participating in SIM and the team will be incorporating another 90. There are a significant number of practices operating in rural areas close to tribal communities. SIM is connecting with some of the practices that are integrating behavioral health. Sim is also considering population health efforts that are engaging health agencies and creating connection between community partners and primary care partners.</p> <p>Councilwoman Juanita Plentyholes commented that behavioral health is a huge issue for UMUT. Councilwoman Plentyholes communicated that some folks dealing with behavioral health issues don't believe they have an issue. Access to appropriate services is also a challenge. Although there are resources that come through Montezuma county, the tribe isn't always able to access these resources. Councilwoman Plentyholes advised the SIM team to collaborate with the UMUT</p>		

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<p>Healthcare department so that tribal members can access services off the reservation. Councilwoman Plentyholes also reported challenges related to the stigma associated with mental health issues and emphasized the importance of supporting youth, adults, and elders to feel that it is ok to talk about these challenges. It is also important to ensure that services will be covered. Chairman Harold Cuthair added that ensuring confidentiality is also an important consideration. It was also reported that IHS has cut funding for behavioral health and that the tribe is currently searching for funding.</p> <p>Mr. Bob Randall (DNR) announced Julie Murphy, the new director of the CO Oil and Gas Commission who started on March 5th. Ms. Murphy is working to visit southwest Colorado. Mr. Randall also announced Governor appointee Celene Hawkins now works at the Nature Conservancy as the Western Colorado Water Program Manager and is bringing tribal sensitivity to that body. Mr. Randall mentioned the Brunot Agreement and fishing for tribal members statewide. He clarified that conversations to date were about reducing fishing license fees so that the costs of administering the program could be covered. Mr. Randall announced that DNR is working through administration issues regarding this topic. He also mentioned that there are some boundary questions in relation to the Brunot Agreement as the details of the original map associated with the agreement don't always correspond to contemporary boundaries, land designations, and current land uses. Mr. Randall communicated that this issue is a complication that needs be considered at the Federal level but that DNR would be happy to help in whatever way possible.</p> <p>Councilman Adam Red commented that Lake Nighthorse falls under the purview of the Brunot Agreement. Councilman Red added that the tribes don't make a huge impact given that there are relatively few who fish when compared to the total tribal population. Regarding enforcement, SUIT's officers are federally certified and are able to issue citations.</p> <p>Ernest House Jr. commented that CCIA has been following this conversation and noted that if the Mayor of Durango is interested in having a conversation, CCIA would be happy to help facilitate this talk. Half of the lake is on SUIT's land and there is concern regarding the exposure of areas near the water break line given the historical cultural significance of this area and the potential for human remains and other items to be disturbed. To date, CCIA has not heard anything from the city of Durango and would be happy to help coordinate</p>		

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<p>conversations if no one else has heard from the city of Durango either.</p> <p>SUIT NAGPRA Coordinator and Cultural Preservation Officer, Cassandra Atencio indicated that SUIT is working on an agreement document and plan of action for parts of Lake Nighthorse. SUIT has been addressing critical concerns with the Bureau of Reclamation and is still having discussions regarding sensitive items.</p> <p>UMUT, THPO officer Terry Knight also addressed Lake Nighthorse. Mr. Knight communicated that the lake is part of the Colorado Ute Water Rights Settlement. The UMUT and the Bureau of Reclamation worked together in relation to the building of a dam. Between 77-78 sites were excavated to ascertain the presence of sensitive items. That said, there was nothing that could be done for the above the high water line. There are sites that weren't excavated because they weren't included in the contract. Currently the City of Durango is attempting to annex and control a big portion of the Lake. The Bureau of Reclamation and the City of Durango continue to move forward with plans to instate recreation on the lake despite the fact that the tribes have strongly asserted their preference that recreation not be allowed on the lake. Mr. Knight indicated that this approach forces tribes to take the role of trying to influence how they would like to preserve these areas despite recreation activities but does not allow for the possibility of excluding as the tribes would prefer. Terry Knight asserted that it is not necessary to desecrate these sites.</p> <p>Ms. Margurite Salazar (DORA) communicated that there have been increased incidents of people falsely claiming to be licensed medication professionals. She urged tribes to check DORA's customer and consumer protection website to verify that medical practitioners are indeed licensed. She also noted that DORA address institutional discrimination. She communicated that once DORA investigates a case, it is turned over to the Attorney General's office or appropriate District Attorney office.</p> <p>Colorado Attorney General, Cynthia Coffman, announced that the Attorney General's office can consult with districts and tribes on safety related issues. She mentioned the Safe to Tell Program which enables youth to use their phones to contact Colorado State Patrol which then sends the alert to local schools and law enforcement as appropriate. Ms. Coffman also mentioned a school safety legal manual for administrators and superintendents. She also announced that an additional manual is currently in progress. This additional manual will</p>		

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<p>address school safety manual for programs to provide guidance on how administrators can interact with kids and engage in other activities to help create a safe atmosphere for kids. The University of Colorado Boulder is going to help create the manual and needs input from local communities. The intention is to create a useful resource and the Attorney General’s office would be happy to send staff down to the tribes to have those conversations. Councilman Adam Red asked how the Safe to Tell Program might work for the SUIT Montessori school given federal law and that Ignacio high and elementary schools are considered to be under jurisdiction of the County. Ms. Coffman said that it could be doable and that it’s just a matter of indicating where you want the information to go. Mr. Rocco Fuschetto asked Ms. Coffman if there might be funding available from the state to help improve school safety. Ms. Coffman communicated that there is potential for federal passthrough funds to assist with school security officials but the current timeline for fund availability is currently unknown. Ms. Coffman indicated she’d follow up and see if immediate assistance might be acquired.</p> <p>Ms. Georgina Owen (CDE) distributed a folder that included information on creating safe school environments and resources regarding youth violence prevention and Safe to Tell. Ms. Owen also communicated that the I Love You Guys Foundation also published an action protocol on how to respond to various threats. Ms. Owen announced the National School Symposium that will be happening in Denver July 8-11.</p> <p>Colorado State Archaeologist, Dr. Holly Norton provided updates. She reported that this year, 7 cases have been reviewed and 9 individual returned. Dr. Norton reported that most of these were legacy cases and one was inadvertently discovered during a construction process. Dr. Norton reported that there are 2 outstanding cases in progress but in most of these cases, locations for reinternment have been identified.</p> <p>Ernest House Jr. provided legislative updates and reported the submission of a budget increase so that CCIA can hire a full time employee and research analyst. If the proposed budget is passed by the State legislature, funds will be available July 1st. CCIA is looking to have a job description by August.</p> <p>Founder of Natives Outdoors, Len Necefer provided an update on the Summit of Tribal leaders preceding the Outdoor Retailer Show on July 22, 2018.</p>	<p>Lt. Governor Lynne said she could follow up with the budget director and department of Public Safety and Health.</p>	

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<i>Committee Reports/Recommendations</i>		
<p>Health and Wellness Committee: The Healthcare committee introduced themselves and announced a budget request for 100% FMAP. The team announced they are working on care coordination compacts. Monies to be saved from care coordination compacts have enabled the hiring of four staff members. Nick Schwartz will be working as a Benefits Specialist. Jeanne Kauffman will be working as an Interagency Tribal Liaison. Ms. Kauffman will coordinate between healthcare departments, develop cultural competency programming, consider a wholistic view of population health for tribes, and organize the health and wellness committee. Brooke Greenky will serve as a Care Coordination Specialist and is currently working on regional care collaboratives and care coordination with members. An additional FTE will be housed in the office of Behavioral Health at CDHS. Chantalle Hanschu added that CDHS will be hiring a liaison and that she'd appreciate folks distributing the job description and application materials among their networks. Ms. Hanschu communicated that CDHS is open to having the FTE be based in South West Colorado provided that they can travel regularly to Denver.</p>		
Reinterment Committee:	Request:	
Education Committee:	Request:	
Budget/Personnel Committee: No Update	Request:	
Economic Development Committee: No Update	Request:	
Old Business: No Update	Action:	
New Business:	Request:	

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<p>Public Comment: Ms. Cassandra Attencio announced an ethnographic study in the Brunot area of the Gold King Mine spill that has been presented to and approved by Tribal leadership. Ms. Attencio requested that if anyone could refer anyone with a strong ethnographic background interested in participating to the SUI Cultural Preservation Office.</p>		
<p>Next Meeting Date: June 1</p>		
<p>Adjourn: Meeting adjourned at 12:00pm</p>		