

North Dakota Indian Affairs Commission
North Dakota State Capitol
600 E. Blvd Ave, Room 327B
Bismarck ND 58505

August 21, 2023
1:00 pm
TEAMS/In Person

Opening prayer was given by Commissioner Slater

Call to Order

Meeting was called to order at 1:31 p.m.

Roll Call

Member	Present	Absent
Chairwoman Lonna Jackson-Street	XX	
Chairwoman Janet Alkire		XX
Alysia Lacounte – Legal Counsel, Turtle Mountain Representative	XX	
Chairman Jamie Azure		XX
Chairman Mark Fox	XX	
Chairman J. Garret Renville	XX	
Dr. Leander McDonald	XX	
Dr. Viola Slater	XX	
Erica Thunder	XX	
Governor Doug Burgum		XX
Nathan Davis, Executive Director	XX	
Lt Gov Tammy Miller	XX	

Other Attendees

Marietta Kemmet, Executive Assistant ND Indian Affairs
Brad Hawk, Deputy Director, ND Indian Affairs
John Reiten, Policy Advisor, Governor's Office
Anthony Bauer, Economic & Workforce Development Specialist, ND Indian Affairs
Cynthia Monteau, MHA Nation
Collette Brown, Spirit Lake Nation
Charlie Gorceki, Energy & Environmental Research Center, University of North Dakota
John Fredericks, MHA Nation
Bill Mooney, Federal Parole & Probation
Lovell Overlie, MHA Nation
Jayme Archambault, MHA Nation

Welcome and Opening Remarks

Lt. Governor Tammy Miller

Lt. Governor Miller expressed gratitude for Tribal Leaderships and representatives. Their diverse experience and invaluable work done in their communities every day. Thanks was given to the at-large commission members and the staff of the North Dakota Indian Affairs. Lt. Governor Miller shared her background with the commission.

The agenda was outlined with the group highlighting presentations to be given during the meeting and the agenda items for today's meeting.

Approval of Agenda

Motion to approve agenda by Dr. Leander McDonald, seconded by Chair Fox. Motion approved.

Approval of Minutes

A correction for the minutes was given to correct a last name. Motion to approve minutes, with correction, by Dr. Viola Slater, for November 17, 2022, meeting. Chairman Fox seconded. Motion approved.

NDIAC Update

Director Nathan Davis

Commissioner Davis expressed thanks for those in attendance and for the commission members and the commission members at-large. He apologized for the confusion over the past few weeks. During strategic planning session the reorganization of the office with the change in duties, removing a judicial systems administrator moving to an Economic and Workforce Development position and the change in title for Brad Hawk from Health Systems Administrator to Deputy Director were implemented.

An overview of the legislative session recently completed included:

- HB1003 – an increase of \$444,000 for the ND Native American Scholarship; an increase of \$400,000 for Tribally Controlled Community College grants. Overall award increased from \$1000 to \$1600 per student
- HB1005 – North Dakota Indian Affairs Commission, appropriations for continuing operation of our office
- HB1012 – new piece of legislation involved with Flexible Transportation funding
- HB1018 – Workforce development grant for Tribally controlled schools
- HB 1028 – Community health worker task force was created
- HB1030 – ND Scholarship was a clean-up bill to bring it up to par
- HB1223 - The vehicle excise tax was amended to require a physical address for the exemption
- HB-1385 – Tribal eligibility for state share program for infrastructure
- HB1423 – Relating to model zoning ordinance for animal feeding operations and the ND Insurance Reserve Fund
- HB1536 – Codification of ICWA within the State of North Dakota
- SB2377 – Language to lay the framework for alcohol taxation agreements between the Tribes and State
- SB2073 – Regarding the NDIAC partnership with Tribal Partners and providing services with similar costs to other stage agencies
- HCR3032 – dealing with racism in high school athletics was not selected
- HB1149 – to study impact of North Dakota High School Activities Association on youth was passed but not selected as a study moving forward

The need for an increased level of communication is a goal and a draft communication plan will be presented before the upcoming commission meeting, which will include our purpose and goal. Options will be shared within the plan which will help to ensure no lapses will in coverage will happen.

Lt. Governor asked if the increase in funding for the ND Native American Scholarship will be adequate and Commission Davis responded that as of July 15, it will cover the applicants applying.

Commission McDonald expressed appreciation for any additional support for bills that may impact the Tribal Community Colleges and the Governor's inclusion in the budget process. The lateness of the cancellation of the Native American Hall of Honor for this year was a concern of the Commission. He also commented that he is a link with the other Tribal Community Colleges and having him as a member allows him to share information from these meetings.

The communication will include the Hall of Honor, Government to Government and legislative information.

Commission McDonald also stressed the importance of being proactive with CTE programs and facilities needed for the workforce needs of North Dakota.

Director Davis reported on the activities with USDA. The Broad Equity, Access, and Deployment (BEAD) program has been discussed with several Tribes as well as funding available for through the National Telecommunications and Information Administration (NTIA).

Other issues included MMIP, codifying state consultation through codes. Future meeting is November 8th and he will be consulting with Tribal partners for hosting the meetings in the future. The goal is to bring state leadership for meetings in the morning and commission meeting in the afternoon. Tentative meetings are being scheduled for Tribal State Relations Committee meetings.

Brad Hawk – Deputy Director

Tribal Health Directors will be meeting August 31st, 2023, in New Town. Medicaid consultation will also occur. The Oral Health Coalition has been revamped and a report has just been released. The oral health group is becoming more active, there is a newly created group in Ray, North Dakota. Food sovereignty and connection with the ND Department of Agriculture in this area.

Anthony Bauer- Economic and Workforce Development Specialist

Anthony introduced himself and gave a background outline. He has been working with a variety of state agencies asking to work with tribes. Workforce has been very strong and gearing towards solving the issue of employee retention and other issues related to employment. Economic Development and the Finance Committee has been very active. Main Street initiative and vibrancy grants are being developed. Working with the Director of Economic Development Finance, Rich Garmin, on an article on North Dakota and the hidden gem. Creating a list of tribal assets to streamline business and workforce. Commissioner Davis also added information about the ND Development Fund and the opportunities that are available for Tribal communities as well.

New Business

Charlie Gorceki – Energy and Environmental Research Center (EERC), UND

A PowerPoint presentation (attached) centered on what EERC's goal and forming relationships with Tribal Governments in developing energy. Details included what the EERC does, who works there and the focus of the center. Every energy and environmental discipline is explored and developing. The history and beginnings of the center was explained. Mr. Gorceki stressed there is dollars available and

wishes to share this funding and program ideas with Tribes. Various programs that are currently in place was shared.

Tribal Leader Updates

Mandan Hidatsa Arikara Nation (MHA)

Chairman Mark Fox spoke of the agreement signed that morning with the Bureau of Criminal Investigation Memorandum of Understanding (MOU). This is just one of numerous MOU's with various state, federal and county agencies. The cooperation with Department of Transportation in areas around the reservation has been greatly appreciated. Energy is one of the major economic objectives for MHA. A push is on for good neighbor outreach initiatives around the state. Major programs include carbon capture, carbon credits, manufacturing, agriculture indoor farming, Native Green Grow (NG2), 60% done, data storage, data processing, cryptocurrency mining, and exportation of agriculture are some of the items. The groundbreaking for a high school in Twin Buttes, funded totally by the Tribe, will be tomorrow, (August 23) a grand opening for assisted living facilities was recently held. At the end of the month there will be a grand opening for a new administration building and an invite was extended for North Dakota partners to be in attendance.

Standing Rock Sioux Tribe

No representative from Standing Rock Sioux Tribe were able to attend due to annual budget meeting, so no update.

Turtle Mountain Band of Chippewa

Alysia Lacounte, representing Chairman Jaime Azure. Assistance is being asked for lowering speed limit at Highway 281 and North Dakota 15. Working with the state to find resources for the homeless issue. The Belcourt site is being overwhelmed with the lack of professional services and the behavior of individuals is growing. Cybersecurity is being upgraded; the drug task force has been effective with several arrests. There have been a number of construction projects, a 60-bed detention center, the court docket is as large as the city of Minot court system, the water park system is delayed, qualified lifeguards' shortage is contributing to the delay. There will be a construction project for a turf field, Byron Dorgan Youth Wellness Center and Dome will be replaced with a new building. Hemp projects, insurance assistance, homeowners' insurance in particular, companies coming to the reservation and their lack of willingness to bond for these projects.

Spirit Lake Tribe

Chairwoman Lonna Jackson-Street updated the group on projects currently under construction. A meeting was recently with the Deputy Undersecretary USDA, Stacey Dean touring facilities and took questions and concerns from tribal leaders. A building has been recently designated for Veteran's on Spirit Lake Nation. A MOU has been initiated with the Bureau of Indian Affairs (BIA) for additional tribal police officers. A letter was sent to Senator Hoeven's office requesting tribal individuals under the SNAP program as well as the food distribution program have dual eligibility. Efforts are underway for the repatriation of Edward Upright and Amos Laframboise. Spirit Lake Council has also established their own education department to centralize all aspects of education. A juvenile housing project is being explored, 20-bed facility. Efforts continue with the renovation of the homeless shelter. The casino pool

has reopened. The small tribal farm operation continues with the growing of primarily corn, potatoes, and the expansion of the program.

Sisseton Wahpeton Oyate

Chairman J. Garrett Renville shared with the group the progress that has been made with the new council. The buffalo processing plant plans have been set in motion and it is close that it will be open this fall. They are working with the USDA and other Tribes that do not currently have their own processing plants. Working towards having their own cattle and making strides in agriculture with an expansion to at least 1,000 acres. The tourism program is being reset with a focus on ecotourism, fishing, traditional medicine, community orchards, and working with Feeding America to try and be self-sustainable. The cost of construction has delayed numerous projects. 105L is being explored for a police station, wellness center, and treatment facility.

Commission Member Updates

Commissioner Erica Thunder updated the members on the upcoming exhibition dance event at the Missouri River Correctional Center and the activities that will take place during the event. Congratulations were extended to Chairwoman Street on the juvenile detention project.

Commissioner Leander McDonald talked about the Tribal Colleges and Universities initiatives concerning workforce development grants. The initial amount was for \$5 million but was eventually dropped down and Turtle Mountain Community College received their \$500,000 and the remaining colleges were cut. There was a gain in the funding for non-Native students attending UTTC. Request for advocating differently for Tribal Colleges and if there could be an analysis by the Indian Affairs Commission how much the state helps Native citizens and what tribal citizen's pay in taxes. Funds contributed to the state's economy is \$145 million according to the last analysis. The amount paid by tribal citizens for taxes needs to be allocated more than what is already being done. The ongoing process for repatriation seems to be going well. The funding from various entities for the apprenticeship programs was outlined and the progress to date. The upcoming Summit Leadership and activities surrounding the event were shared.

Commissioner Viola Slater shared how impressed she was with all the activities currently taking place around the state and very appreciative. She pointed out that there is still a challenge for implementing the Native American Education Cultural history in the schools. She wondered if there was a way to share some of the events currently taking place across the state regarding this program. There seems to be some confusion on the implementation of the program and by consulting and coordinating with the Tribal Chairs/or contact person may be result in a more successful implementation.

Commissioner Slater also commented on the lack of involvement by young people in our cultural celebrations. She has been approached by individuals who were not aware cultural events are open to all. She also commented on the presentation by Mr. Gorceki and the possibilities for the STEM programs his office is heavily invested in. Mr. Gorceki mentioned the Energy Hawk internship program as a springboard for involving more Native Americans.

Commissioner Davis shared with the group the progress to date on the repatriation progress.

Agency Updates/Introduction

Andrea Travnicek – Department of Water Resources (DWR)

Director Travnicek introduced herself and updated the commission on their current location. The restructure of the department, the mission, vision, values, and the 5-year strategic plan was highlighted. The DWR organization chart and Water Commission board was presented and explained. The legislation passed (HB 1385) which creates the eligibility for Tribal Nations to enter into cost-share agreements with the Southwest Water Commission. The funding and potential funding needs was emphasized and what these needs are and how they are being addressed. The cost-share program was presented and the various sections within the program. The North Dakota Municipal, Rural, and Industrial Water Supply Program and the status of the program was presented to the group. The nearing of the cap level is a concern and the possibility of getting the caps lifted was pointed out. Senator Hoeven's office is asking for an updated needs list for the program. A list of future efforts for collaboration, updating contacts and other items as needed was added to the discussion.

Kuldip Mohanty – North Dakota Information Technology (NDIT)

Mr. Mohanty introduced himself to the group. NDIT has gone through a strategic refresh for objectives and mission. Some of the objectives is to work closer with Tribal Colleges, State partners and agencies. Senate Bill 2073 allows the ability to provide more technology and cyber security services to all Tribal Nations. The BEAD program is a work in process and contacts have been made with Tribal Nations to determine needs and how to meet those needs. He shared the website for NDIT which contains information on all the services available. There is an apprenticeship program available and are looking for tribal partnership for the program.

Announcements

Lt. Governor Miller shared with the group the listening session scheduled for August 22, 2023, concerning the opioid settlement funds and the amount the State will be receiving. She also encouraged those in attendance to consider attending Recovery Reinvented scheduled for October 5th in Minot. The Main Street Summit will be held October 24th and 25th in Watford City.

Closing Comments

Chairman Fox expressed the need for IT support and the hesitancy and resistance by the Tribal Nations to embrace the programs available. The opioid settlement will be a drop in the bucket compared to what the Tribe will be investing. He asked for the judges to set aside a dollar amount for treatment in Indian Country. The riverboat will be ready soon and is part of their tourism investment push through the state.

Chairwoman Lonna Jackson-Street expounded on the IT concerns that arose with the pandemic and the needs it created. The recently opened recovery and wellness center is already in need of expansion.

Commissioner McDonald commented that once the opioid issue is resolved, the Tribal Colleges and Universities are there to teach the skills needed for training.

Commissioner Davis reiterated the wish for NDIAC members of House Representatives Finley-Deville and Davis was not granted to have a seat concerning the opioid issue. An email was received for BEAD

funding and an attachment with a list of resources available to tribes and will be shared. There is a tourism destination development initiative fund in HB1018 amounting to \$25 million availability.

Meeting adjourned 5:19 pm

ACTION ITEMS:

1. Draft Communication plan for November 8, 2023, meeting and include old plan
2. Share previously approved Strategic Plan with Commission
3. Turtle Mountain – cigarette tax, DOT, Insurance commissioner
4. Letter from Spirit Lake Nation to Senator Hoeven
5. Request from Russ for an analysis by Indian Affairs on how much state helps Native Citizens/taxes paid by Native people.
6. feedback on water question
7. BEAD email on list of resources available from NTIA