

State Tribal Economic Development Commission

Commission Meeting

October 19th, 2015

Meeting Minutes

Commissioners Present:

Richard Sangrey (Vice Chairman/Acting Chair), Terry Pitts, Gerald Gray, Harry Barnes, Kenneth Ryan (Fort Peck proxy), Joe Fox Jr., Channis Whiteman (alternate), Davey Madison (GOED proxy), Sean Becker (DOC proxy)

Public Present:

Maylinn Smith, Monte Mills

Staff Present:

Casey Winn Lozar, Paige Cohn, Heather Sobrepena-George, Philp Belangie

Welcome/Purpose of Gathering:

Meeting started at 9:42 welcoming returning and new Commissioners and guests to the meeting. Joe Fox Jr. provided a prayer.

Quorum established with 8 voting members present.

Public Comment

Channis Whiteman asked for planning and development assistance in the Crow Tribe's recent purchase of the Battlefield Express 'C' Store in Crow Agency Montana.

Approval of August Minutes and Actions Thereon:

Motion: Commissioner Barnes motioned to accept the August 2015 meeting minutes as presented. Seconded by Commissioner Gray. All in favor. Motion passes unanimously.

Office of Native American Development Reports:

Casey Lozar reported on the merge activities and reorganization of the Montana Office of Tourism and Business Development and the alignment of all tribal programs at Commerce under the Office of Native American Development housed in the Business Development Bureau of which he is the Bureau Chief. Commissioners questioned the organizational structure. Casey committed the staff to provide an organization chart and webinar for the Commissioners, tribal administration, and tribal colleges to provide them an opportunity to better understand the new structure and function of each of the programs and how they are strategically organized.

Heather Sobrepena-George reported on the status of the STED Commission. The program is currently in the hiring process. Twelve candidates will be interviewed by phone on October 22nd. The budget is in the process of being finalized.

Heather mentioned that the STED Commission holds a special revenue account into which funds have been deposited on behalf of the Tribes who have chosen to participate in the State Small Business Credit Initiative (SSBCI) Indian Entrepreneur matching funds. Those funds will mature in 2017 and one STED Commission meeting this year should focus on preparing for the release of those funds to tribal governments in 2017.

Paige Cohn reported on the Montana Indian Language Preservation Program. A total of \$186,000 per tribe was made available for application. All contracts except Northern Cheyenne have been fully executed, with Northern Cheyenne expecting to be executed within the week. All contracted tribes have taken their first draw of \$65,000. Paige and Heather will provide a reporting webinar in the first week of November for project reporting contacts. The first report will be due the week of December 1st. The program will be performing sites visits to the tribal language projects. Language projects will present to the STED Commission. Paige is planning a language summit for the spring.

Heather Sobrepena-George reported on the Indian Country Economic Development Program. Three webinars were provided throughout September to go over the changes. The STED Commission, tribal programs, and business advisors were invited to attend. There are currently 3 submissions for the Native American Business Advisor grant. There have been numerous inquiries for the Indian Equity Fund Small Business Grant. Philip Belangie provided the STED Commission and the tribal governments with lists of local review committee members for the Indian Equity Fund Small Business Grant and for the Native American Business Advisor. There were no recommended changes from the STEDC. Blackfeet Planning staff did recommend continuing to work with Native American Development Corporation. Program guidelines and deadlines for each grant program were provided to the Commissioners. Philip Belangie will be conducting a series of trainings to the Native American Business Advisors in October and December.

The Native American Collateral Support Program completed its first deal in September 2015 with Glacier Bank, providing \$65,000 in collateral support for Flathead Raft Company in Polson MT. The total deal was for \$245,000 for the purchase of property and the building of a warehouse. Other deals are in process.

Motion: Commissioner Barnes motioned to provide a letter of support for the Native American Collateral Support Program. Seconded by Joe Fox Jr. No discussion. Terry Pitts abstain. All in favor. Motion passes.

University of Montana Indian Law Clinic (Maylinn Smith):

Maylinn Smith presented on her work with the UM Law Clinic. Her law clinic focuses on codification, bison restoration, and Indian Child Welfare Act work. The Crow Tribe and the Chippewa Cree Tribe have

developed tribal codes. While many tribes may have tribal codes or laws, only a few have been codified. Information on a model code which can be personalized for the development of tribal codes can be found at www.uniformlaws.org. Once developed, tribal codes must be codified. Fort Peck Tribes have set a good example of codification and making their codes readily accessible and available at <http://www.umt.edu/law/library/montanalegalresearch.php> under the Laws and Regulations section of the page. Making clerks of court aware of their role is important. A strong tribal court system is critical to protecting the sovereignty of tribes. Additionally offering business licensing and registration services at the tribal level and making people obtain them is important. There has been discussion of developing a tribal consortium for a commercial special court and may be spearheaded by the Montana Wyoming Tribal Leaders Council (MWTLC) or the Montana Wyoming Tribal Judges Association.

Some legal issues that have a potential impact on tribes and tribal members are the issue of state taxation of Indian-owned corporations that do business entirely within the exterior boundaries of a reservation (Flat Center Farms v. State of Montana, Department of Revenue). Additionally, the issue of businesses operating on fee vs. trust land within reservation boundaries is another complex legal issue for tribes.

Lunch

Monte Mills with the UM Indian Law Clinic joined the group for lunch. He discussed the strategic planning session that the Indian Law Clinic will be undertaking the next 2 years. Mills was encouraged by the Commission to invite participation by the tribes and the STED Commission. Mills handed out his business card and invited the members to approach him with any clinical law opportunities that tribes may have for law students to work on.

Tribal Tourism

Heather Sobrepena-George discussed the attendance of four tribal tourism operators (Indian Battle Tours, Blackfoot Confederacy Artists Group, Flathead Raft Co., and Blackfeet Outfitters) at the American Indian Alaska Native Tourism Association (AIANTA) Conference. Commissioners would like to hold a tribal tourism strategic planning session at an upcoming meeting. Heather Sobrepena-George discussed the bi-partisan Senate Bill S. 1579 Native American Tourism and Improving Visitor Experience Act (NATIVE Act). The Senate Committee on Indian Affairs reported without amendment favorably on the bill on 10/17/2015. The bill currently has 10 co-sponsors including Senator Tester.

Motion: Commissioner Barnes made a motion for the STED Commission to provide a letter of support for the NATIVE Act addressed to the appropriate Senator and signed by the Chair of the Commission. Seconded by Commissioner Whiteman. No discussion. All in favor. Motion passes.

Adjourn

Motion: A motion was made by Commissioner Fox and seconded by Commissioner Whiteman to adjourn the meeting. No discussion. All in favor. Motion passes. Meeting ended at 3:08.