

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1 DATE: Wednesday, December 14th, 2022

2 TIME: 5:30 p.m.

3 LOCATION: BlueJacket Building

4 INVOCATION: Chief Wallace

5

6 CALL TO ORDER, ROLL CALL, DECLARATION OF QUORUM

7 The Business Committee Meeting was called to order at 5:36 p.m. with the following
8 answering roll call: 1st Council Kissee, 2nd Council Daugherty, 3rd Council Kraus
9 Treasurer Barrett and Secretary Littlefield. 2nd Chief Samples and Chief Wallace was
10 present. A quorum was declared by 2nd Chief Samples.

11

12 NEW ENROLLEES –

13 Sydney Trillium McElveny DOB: 11/27/2021

14 Emery Jolene Osburn DOB: 08/03/2022

15

16 MOTION: To approve the New Enrollees presented. The motion was made by 2nd
17 Council Daugherty with second by 1st Council Kissee.

18 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

19

20 MINUTES

21 MOTION: To approve the November 30th, 2022, Business Committee Meeting
22 minutes. The motion was made by 1st Council Kissee with second by 3rd Council
23 Kraus.

24 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

25

26 REPORTS

27 Chief's Report – Chief Glenna Wallace

28 THANK YOU – Thank you notes from Tribal Administration Employees for their
29 Christmas Bonus and a thank you from the Oklahoma City Indian Clinic for a
30 donation made to them were read by Chief Wallace.

31 DONATION REQUESTS – A donation request for \$1,000.00 from the NICWA to
32 sponsor the 41st Annual Protect Our Children Conference was presented by Chief
33 Wallace.

34 MOTION: To Donate \$1,000.00 to the NICWA for their 41st Annual Protect Our
35 Children Conference made by 2nd Council Daugherty with second by Treasurer
36 Barrett.

37 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

38 DEPARTMENT REPORTS – provided to Business Committee members.

39 CHILDREN'S CHRISTMAS PARTY – was held Sat., Dec. 3rd at the annex with 60
40 children attending. Santa, a storyteller from the Cherokee Tribe, Robert Stevenson
41 and a balloon lady were also present. Christmas gift cards were given to each child
42 present.

43 CHRISTMAS GIFT CARDS FOR YOUTH, ELDERS AND DISABLED - 2,333
44 individual cards totaling \$63,174.95 have all gone out in the mail to tribal children,
45 tribal elders and disabled tribal members.

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46 ELDERS LUNCHEON – will be Saturday December 17th, 2022, from 12-3 p.m.
47 Lunch, visiting and bingo will be enjoyed by all. The event will be held in the annex.
48 FOOD DISTRIBUTION – Thursday, Dec. 15th, 2022, the monthly food distribution
49 will be combined with the Christmas food baskets to be provided starting at 10:00
50 am.
51 BROADBAND CONNECTIVITY GRANT has been funded for \$2,650,630. This
52 will help to lay fiber around entire complex on Hwy. 10 and will also extend to
53 Housing Authority and Woodland's
54 OHIO SUPREME COURT – Ruled six to one to make a public park making the
55 mounds available to visitors every day all day long. There is one more trial to go
56 and this will go to Jury Trial in Lincoln County. This trial is to determine what is a
57 fair price to pay the Mound Builders Country Club. They currently have a lease to
58 lease the land until 2078, so we need to pay them the money they would have paid
59 plus any improvements made. We are hoping this will be done within the next six
60 months.
61 TRANSPORTATION GRANT – We have heard back once, and they were asking
62 for additional information which we provided. Chief Wallace states that in her
63 experience that has always been a good sign. We have not heard anything since they
64 contacted us back, but Chief Wallace has contacted Milo Booth, Federal
65 Department of Transportation Tribal Liaison. He contacted the Federal
66 Department of Transportation. He wrote back that they have not made final
67 decisions, but they hope to make that that decision in December.
68 TRIBAL LEADERSHIP CONFERENCE WITH PRESIDENT BIDEN – President
69 Biden and Vice President Harris has pledged their support for the Indian Child
70 Welfare Act. This conference was important for us and had good results. Chief
71 Wallace was able to meet personally with the Department of Justice to talk about
72 the effects of Tar Creek and how it affects the Tribes. She was also able to meet
73 personally with the Secretary of Transportation, Pete Buttigieg, and spoke with him
74 about our Transportation Grant. She was also able to meet with the Department of
75 the Interior, Deb Holland.
76 SHAWNEE TRIBE REQUEST SHAWNEE INDIAN MANUAL LABOR
77 BOARDING SCHOOL – The Boarding School is presently owned by the State of
78 Kansas. The Shawnee Tribe wants to take possession and ownership of that school
79 and are willing to pay \$15 million to rehabilitate and to make the school a museum.
80 They have asked for a letter of support. Chief Wallace has responded to them
81 stating our support for their effort to purchase the school and the letter has been
82 sent to Chief Barnes. The Business Committee was in support of this action.
83 REQUEST FROM EMPIRE DISTRICT ELECTRIC COMPANHY/LIBERTY
84 RIGHT OF WAY WYANDOTTE 114 ACRES – The Business Committee will be
85 receiving this Resolution tonight. They need us to provide them a resolution and
86 approve access to the 114 acres that several tribes own together to upgrade the IT
87 support, Electrical support in the Wyandotte area.
88 PEOPLE'S BANK OF SENECA – Reports November was an excellent month. Net
89 profit for the month of November was \$417,885.00 which brings year to date to
90 \$5,022.945.00 – an increase of over one million from last year. Total assets are now

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91 \$381.7 million and past dues finished the month at 0.36% - one of our lowest months
92 ever for past dues.

93 **SHOW ME MAGAZINE** – The city of Seneca will be featured in their January
94 issue. They will be writing articles on our donations to the Fire Department and the
95 Police Department.

96 **BURN** – We have not had a controlled burn in some time, and this comes out of the
97 Bureau of Indian Affairs and the Environmental Department. We have five people
98 here from the Navajo tribe who are preparing the grounds to do a controlled burn.
99 The burn will be postponed a while due to the rain that we have had. Obviously in
100 this controlled burn there are some cedar trees and Rachel Holcomb our Tribal
101 Administrator reached out to our Ceremonial Chief King and informed him of this,
102 seeking his permission. He requested to be notified in advance so that he can bless
103 the trees.

104 **HOLIDAY SCHEDULE** – Monday, December 26th, 2022, offices will be closed for
105 the Christmas holiday.

106 **NEW EMPLOYEES** – Three new employees have been hired by the maintenance
107 department.

108 **EARLY CHILDHOOD LEARNING CENTER**- Information requested by the
109 Business Committee has been emailed showing the hours that the Splash Pad would
110 be available to the public.

111 **ELECTION BOARD** – Preston Ross has submitted his resignation which results in
112 a vacancy on the Election Board and this vacancy will be advertised in the Shooting
113 Star.

114 **TALON SILVERHORN** – He and some friends of his from Fort Pitt, Pennsylvania
115 museum will be here to conduct workshops that have to do with cultural aspects.
116 They will be here Jan. 21st and they will provide lessons on how to make moccasins,
117 18th century clothing, and how to do an 18th century spoon. On Jan. 22nd they will
118 do fire starting with flint and steel and an intro to flint napping.

119 **CLOSED SESSION** – Chief Wallace has information to present in closed session.
120

121 **RESOLUTIONS**

122 **RESOLUTION NUMBER 121422-R-01** Resolution approving Amendment 1,
123 acceptance of GMP, to the Construction Management At-Risk Proposal submitted
124 by Branco Enterprises, Inc. for the Construction Management of the Eastern
125 Shawnee Splash Pad connected to the Eastern Shawnee Early Childhood Learning
126 Center.

127 **NOW THEREFORE BE IT RESOLVED**, that the Business Committee of the
128 Eastern Shawnee Tribe of Oklahoma does hereby wish to accept the attached GMP
129 Breakdown totaling \$2,323,490.00 as Amendment 1 to the Construction
130 Management At-Risk Proposal submitted by Branco Enterprises, Inc. for the
131 Construction of the Eastern Shawnee Splash Pad connected to the Eastern Shawnee
132 Early Childhood Learning Center.

133 **BE IT FURTHER RESOLVED**, that the Business Committee of the Eastern
134 Shawnee Tribe of Oklahoma does hereby authorize Chief Glenna J. Wallace to

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135 execute the amendment once it has been reviewed and approved by In-House
136 Counsel.

137 **MOTION: To Approve Resolution Number 1121422-R-01. The motion was made**
138 **by 3rd Council Kraus with second by 1st Council Kissee.**

139 **Motion carried: 3 approved (Kissee, Kraus, Littlefield), 2 opposed (Daugherty and**
140 **Barrett), 0 abstained, 0 absent.**

141
142 **MOTION: To add four Resolutions to the agenda. The motion was made by**
143 **Treasurer Barrett with second by Secretary Littlefield.**

144 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
145

146 **RESOLUTION NUMBER 121422-R-02 Resolution approving submission of an**
147 **application for attorney's fees to fund to prepare, file, and argue before the OCCA**
148 **in defense of the Tribe's Reservation and its jurisdiction over Indian defendants on**
149 **the Reservation.**

150 **NOW THEREFORE BE IT RESOLVED, that the Business Committee of the**
151 **Eastern Shawnee Tribe of Oklahoma hereby approves the submission of an**
152 **application for attorney's fees to fund to prepare, file, and argue before the OCCA**
153 **in defense of the Tribe's Reservation and its jurisdiction over Indian defendants on**
154 **the Reservation, all communications and strategic efforts relative to this case, and**
155 **fees incident to any petition for certiorari to the United States Supreme Court**
156 **relative to State of Oklahoma v. Harry William Hull, Jr. S-2021-110.**

157 **MOTION: To Approve Resolution Number 121422-R-02. The motion was made by**
158 **Treasurer Barrett with second by 1st Council Kissee.**

159 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
160

161 **RESOLUTION NUMBER 121422-R-03 Resolution Authorizing a Utility Right-of-**
162 **Way Easement for Northeast Oklahoma Electric Cooperative, Inc.**

163 **NOW THEREFORE BE IT RESOLVED, that the Business Committee of the**
164 **Eastern Shawnee Tribe of Oklahoma does hereby approve the attached Utility**
165 **Right-of-Way Easement between the Eastern Shawnee Tribe and Northeast**
166 **Oklahoma Electric Cooperative, Inc.**

167 **More specifically: A Strip of land 1500 Feet on either side of a line with a Point of**
168 **Beginning in the Southwest Quarter of Section 32, Township 28N, Range 25E which**
169 **lies S1° 56'25.465"E a distance of 3,822 Feet from NW Corner Sec 32 T28 R25E**
170 **monument located at 36° 52'17.087"N, 94° 38'42.907"W in the Northwest Quarter**
171 **of Section 32, Township 28N, Range 25E; thence S0° 55'7.172"E a distance of 996**
172 **Feet to the Point of Termination located in the Southwest Quarter of Section 32,**
173 **Township 28N, Range 25E.**

174 **MOTION: To Approve Resolution Number 121422-R-03. The motion was made by**
175 **1st Council Kissee with second by Treasurer Barrett.**

176 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
177

178 **RESOLUTION Number 121422-R-04 Approving a Budget Amendment to the**
179 **FY2022 Tribal Administration Budget Miscellaneous Budget Transfers**

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180 NOW THEREFORE BE IT RESOLVED, that the Business Committee of the
181 Eastern Shawnee Tribe of Oklahoma does hereby wish to approve FY2022 budget
182 modification No. 9 transferring line item over/under for Human Resources, Pow
183 Wow, and High Cost Medications with no additional funding required.
184 MOTION: To Approve Resolution Number 121422-R-04. The motion was made by
185 Secretary Littlefield with second by 1st Council Kissee.
186 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

187
188 MOTION TO TABLE: Resolution to approve the FY2023 Eastern Shawnee Tribe
189 ARPA Utility & Medical Program Policies and Procedures.

190
191 RESOLUTION Number 121422-R-05 Authorizing an Electric Right-of-Way
192 Easement for Liberty Utilities on Seneca-Cayuga tract 923 T 1010.
193 NOW THEREFORE BE IT RESOLVED, that the Business Committee of the
194 Eastern Shawnee Tribe of Oklahoma does hereby approve an Electric Right-of-Way
195 Easement for Liberty Utilities on Seneca-Cayuga tract 923 T 1010 along the North
196 side of Highway 60 near Wyandotte, Oklahoma.
197 More specifically: A portion of the North Half of the Southwest Quarter (SW1/4) of
198 Section 21, Township 27 North, Range 24 East, Indian Meridian, County of Ottawa,
199 State of Oklahoma being a 30 foot wide strip of land, the center line of which is
200 described as: Beginning at a point on the line between Sections 20 and 21, South 00°
201 07'08" East, 874.63 feet along the section line from the quarter corner of Section 20
202 and 21. Thence from the point of beginning, the following five courses: 1) North 76°
203 12' 34" East, 279.74 feet, 2) North 76° 45'12" East, 1,127.73 feet; 3) North 76° 41'51"
204 East, 739.81 feet; 4) North 77° 35'41" East, 299.88 feet; 5) North 76° 10'25" East,
205 244.06 feet to the North and South center line of Section 21 and the point of
206 termination. Containing 1.85 acres m/l.
207 MOTION: To Approve Resolution 121422-R-05. The motion was made by
208 Treasurer Barrett with second by 1st Council Kissee.
209 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

210
211 REQUISITIONS
212 Requisition number EN-92440 payable to Marion Company LLC for pay application No.
213 9 Housing in the amount of \$269,248.89.
214 MOTION: To approve Requisition number EN-92440 made by 2nd Council Daugherty
215 with second by 3rd Council Kraus.
216 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

217
218 Requisition number EN-92653 payable to Brown and Brown of Oklahoma for
219 Workmen's Comp. Installment #2 in the amount of \$27,230.00.
220 MOTION: To approve Requisition number EN-92653 made by Secretary Littlefield with
221 second by 2nd Council Daugherty.
222 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

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224 Requisition number EN-92654 payable to Brown and Brown of Oklahoma for General
225 Liability in the amount of \$92,798.00.
226 MOTION: To approve Requisition number EN-92654 made by 2nd Council Daugherty
227 with second by 3rd Council Kraus.
228 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.
229
230 Purchase Requisition Number PR00059550 from Indigo Sky Casino in the amount of
231 \$357,119.88 for Cisco Server Refresh Pinnacle.
232 Motion: To approve PR00059550. The motion was made by 2nd Council Daugherty with
233 second by 1st Council Kissee.
234 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.
235
236 Purchase Requisition Number PR00059562 from Indigo Sky Casino in the amount of
237 \$159,900.00 for continuity for March 2023.
238 Motion: To approve PR00059562. The motion was made by 1st Council Kissee with
239 second by 2nd Council Daugherty.
240 Motion carried: 4 approved (Kissee, Daugherty, Kraus, Littlefield), 0 opposed,
241 0 abstained, 1 absent (Barrett).
242
243 Purchase Request Number PR00059565 from Indigo Sky Casino in the amount of
244 \$158,400.00 for April 2023 continuity.
245 Motion: To approve PR00059565. The motion was made by Secretary Littlefield with
246 second by 3rd Council Kraus.
247 Motion carried: 4 approved (Kissee, Daugherty, Kraus, Littlefield), 0 opposed,
248 0 abstained, 1 absent (Barrett).
249
250 Purchase Request Number PR00059567 from Indigo Sky Casino in the amount of
251 \$136,400.00 for May 2023 continuity.
252 Motion: To approve PR00059567. The motion was made by 2nd Council Daugherty with
253 second by 1st Council Kissee.
254 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.
255
256 Purchase Request Number PR00059580 from Indigo Sky Casino in the amount of
257 \$26,339.00 for Poker Room Carpet down payment and balance at completion.
258 Motion: To approve PR00059580. The motion was made by Treasurer Barrett with
259 second by 2nd Council Daugherty.
260 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.
261
262 Tribal Admin. Submitted 3 quotes in re: Lightning Protection System Quotes to the
263 Business Committee with the recommendation being to use Bright Lighting Inc. in Tulsa,
264 Ok. 2nd Chief Samples recommended that surge protection should be added to the quote
265 and the Business Committee members agreed.
266

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267 MOTION: To approve the Bright Lighting Inc. bid with authorization for Chief Wallace
268 to sign the change order. The motion was made by Treasurer Barrett with second by 1st
269 Council Kissee.

270 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

271

272 **NEW BUSINESS**

273 **Tribal Elder Bud Enyart – Requested an update be given by the Business**
274 **Committee at the next Business Committee meeting on how tribal members may**
275 **access tribal records. He states the present process of having to view them in person**
276 **and not being able to make copies creates a hardship on out of state tribal members.**
277 **Concerns are also stated as to how records being placed on the web site could make**
278 **it difficult for some tribal members who do not have access to computers or**
279 **knowledge on how to access these records.**

280 **The present process is to contact the Business Committee Secretary or the BC Chief**
281 **of Staff to view records. Copies may be made at the cost of the current click rate.**

282 **The Business Committee agreed to his request of addressing this at the next**
283 **Business Committee meeting.**

284 **Mr. Enyart also addressed his concerns that the length of closed sessions is too long.**
285 **He also thanked the tribe for the wood that he was provided to heat his home.**

286

287 OLD BUSINESS - None

288

289 **MOTION:** To go into Closed Session at 7:37 p.m. following a five- minute break. The
290 motion was made 2nd Council Daugherty with second by Treasurer Barrett.

291 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

292

293

294 **CLOSED SESSION**

295

296 **MOTION:** To return to Open Session at 11:52 p.m. The motion was made by Secretary
297 Littlefield with second by 1st Council Kissee.

298 Motion carried: 4 approved (Kissee, Kraus, Littlefield, Barrett), 0 opposed,
299 0 abstained, 1 absent (Daugherty).

300

301 **OPEN SESSION**

302

303 **RESOLUTION NUMBER 121422-R-06 Resolution to Approve the Articles of**
304 **Organization Eastern Shawnee Economic Services, LLC**

305 **NOW THEREFORE BE IT RESOLVED, that the Business Committee of the**
306 **Eastern Shawnee Tribe of Oklahoma does hereby approve the attached Articles of**
307 **Organization of Eastern Shawnee Economic Services, LLC.**

308 **MOTION:** To Approve Resolution number 121422-R-06. The motion was made by
309 Secretary Littlefield with second by 1st Council Kissee.

310 Motion carried: 4 approved (Kissee, Kraus, Littlefield, Barrett), 0 opposed,
311 0 abstained, 1 absent (Daugherty).

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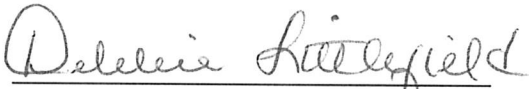
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RESOLUTION NUMBER 121422-R-07 Resolution to Adopt the Operating Agreement of Eastern Shawnee Economic Services, LLC.
NOW THEREFORE BE IT RESOLVED, that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby approve the attached Operating Agreement of Eastern Shawnee Economics Services, LLC.
MOTION: To Approve Resolution 121422-R-07. The motion was made by 3rd Council Kraus with second by 1st Council Kissee.
Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

RESOLUTION NUMBER 121422-R-08 Resolution to Open a DDA at People's Bank of Seneca for Eastern Shawnee Economic Services, LLC
NOW THEREFORE BE IT RESOLVED, that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to open a demand deposit account at People's Bank of Seneca for Eastern Shawnee Economic Services, LLC.
BE IT FURTHER RESOLVED, that the Business Committee of the Eastern Shawnee Tribe of Oklahoma hereby designates Chief Glenna J. Wallace, Treasurer Justin Barrett, and Secretary Debbie Littlefield as authorized signers.
BE IT FINALLY RESOLVED, that the Business Committee of the Eastern Shawnee Tribe of Oklahoma hereby designates Chief Financial Officer Karen Allen as the Administrator of Cash Management.
MOTION: To Approve Resolution Number 121422-R-08. The motion was made by 1st Council Kissee with second by 3rd Council Kraus.
Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

MOTION: The motion to adjourn at 11:55 p.m. The motion was made by Treasurer Barrett with second by 1st Council Kissee.
Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

ADJOURN



Debbie Littlefield, Secretary



Chris Samples, Second Chief

12-28-22

Date

12-28-22

Date