

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1
2 **DATE:** February 28, 2018

3 **TIME:** 5:30 p.m.

4 **LOCATION:** BlueJacket Building

5 **INVOCATION:** Chief Glenna J. Wallace

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7 **CALL TO ORDER, ROLL CALL, DECLARATION OF QUORUM**

8 The Business Committee Meeting was called to order at 5:31 p.m. with
9 the following answering roll call: 1st Council Kropp, 2nd Council
10 Daugherty, 3rd Council Stovall, Treasurer Barnes and Secretary Brown.
11 Chief Wallace and 2nd Chief Ross were also in attendance. A quorum
12 was declared.

13
14 **NEW ENROLLEES**

15 Those presented for consideration were: Lena May Nichols (DOB:
16 10/24/17), Elina Raedawn Paris (DOB: 4/20/17), Henry Dakotah
17 Higbee (DOB: 12/20/16), Tatum Colbie Edge (DOB: 3/8/17), and Jace
18 Fraden Keezer (DOB: 1/9/18). The motion to accept was made by 1st
19 Council Kropp and seconded by Treasurer Barnes. Motion carried: 5
20 approve, 0 opposed.

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22 **MINUTES**

23 Treasurer Barnes made the **MOTION** to approve the February 7, 2018
24 Minutes as presented. This was seconded by 3rd Council Stovall and
25 the motion carried: 4 approve, 0 opposed, 1 abstained (2nd Council
26 Daugherty).

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28 The **MOTION** to approve the January 24, 2018 Minutes as written was
29 made by Treasurer Barnes and 3rd Council Stovall seconded. Motion
30 carried: 5 approve, 0 opposed.

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32 **UPDATE**

33 Tribal Elder BlueJacket gave an update on the health of Shirley
34 Alexander, Mary Pounds and David Gschwind.

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36 **REPORTS**

37 **QUARTERLY FINANCIAL REPORT, KAREN ALLEN:**

38 The Finance Director, Karen Allen, presented a detailed review on Cash
39 Balances, Non Grant Budgets and Grant Budgets for Tribal
40 Administration. She also provided Financial Statements of all entities
41 (Eastern Shawnee Tribal Enterprises, Eastern Shawnee Tribal
42 Administration, Indigo Sky Casino, Outpost Casino and Bordertown
43 Casino & Arena) and other businesses (Eastern Shawnee Travel

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Center, N2N Solutions, N2N HR Solutions, N2N Staffing, N2N HR OK, N2N Logistics, N2N 3PL, N2N University and Burgraff) as of December 31,2017. Many questions were asked and lengthy discussion was held.

CASINO GENERAL MANAGER, RICK SMITH:

Financial results for the month of January:

Indigo Sky Casino: This month the casino was (-)7.53% from December figures in Total Revenues, (-)5.08% in Total Expenditures, and (-)20.60% in EBIDA. Comparison of month to previous month a year ago showed Total Revenues were (+)2.58%, Total Expenditures were (+)6.55%, and EBIDA was (-)17.25%. Year-to-Date Total Revenues were (+)6.72%, Total Expenditures were (+)7.35%, and EBIDA was (+)3.36%.

Outpost Casino: The month shows the casino was (-)9.66% compared to December in Total Revenues, (-)8.15% in Total Expenditures, and (-)12.26% in EBIDA. Comparison of month to previous month a year ago shows Total Revenues (+)1.29%, Total Expenditures (+)1.30%, and EBIDA was (-)5.62%. Year-to-Date Total Revenues were (-)1.02%, Total Expenditures were (-)1.70 %, and EBIDA was (+)0.16%.

Bordertown Casino & Arena: The comparison of January figures to December figures show Total Revenues were (-)7.58%, Total Expenditures were (+)5.93%, and EBIDA was (+)1382.31%. Comparison of month to previous month a year ago show Total Revenues were (+)11.59%, Total Expenditures were (+)19.74%, and EBIDA was (-)161.00%. Year-to-Date Total Revenues were (-)1.85%, Total Expenditures were (+)1.03%, and EBIDA was (-)26.90%.

GAMING COMMISSION

Compliance and EGM, Deputy Commissioner Amber Graham:

Internal Audit Report given for MICS/TICS and Title 31 for the last two quarters. Scheduled NIGC Training for Internal Audit is March 7th and 8th and more training is scheduled in June for Compliance Auditing. There are six (6) employees in the Compliance Department. The following Compliance Observations were performed in January: Cage – 126; EGM – 55; Jackpot – 75; Players Club – 104; Table Inventory – 21; Card Exchange – 5; Table Fill/Credit – 39; and Title 31 Inquires – 20. There are three (3) employees in EGM Compliance. They attended NIGC Technology Training January 30-31, 2018 and there will be 100+

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machines installed at Indigo Sky Casino in March. Michael Daugherty received Employee of the Quarter. There were 20 Installs; 20 Removals; 6 Conversions; 2 Replacements; 14 Machine Relocations; and 74 Pieces of software tested. Machine Fees billed amounted to \$72,350.00 and there was \$71,350.00 collected.

Licensing, Deputy Commissioner Ashley Burnside: This department has four (4) employees (50% ESTOO, 50% Other Native). There were 26 New Hires processed, 43 employee renewals processed, one (1) denial, one (1) suspension and one (1) revocation. There was one (1) gaming vendor processed, one (1) gaming related company processed, zero (0) gaming parent companies processed, and 29 gaming vendor and gaming related individuals processed. We processed 8 non-gaming companies and 41 non-gaming individuals.

Fees: Total fees collected for February 2018: \$21,525.00.

PRYME: This is completed for employees and we are using it for records and workflow. The online app is being customized and we continue to do orientation every week. Soon potential employees will fill out their application online and only come in to be finger printed. Once the last piece is in place we will move with utilizing PRYME for vendor licensing.

Surveillance Department, Gaming Commissioner Jalene Wells: There has been no turnover in this area since I last reported. This department is working on the Wellness Center doors and this project will soon be completed.

Technical Department: They are busy with PRYME and updating equipment. The old system is still running at the Wellness Center but we are pretty much live with surveillance there and we are almost ready for going live with the casinos.

N2N MONTHLY REPORT:

Tamara Atkins and Chad Hall distributed a detailed Financial Report for January 2018 on Arrowhead, N2N Corporation, HR Solutions, Staffing, HR OK, Logistics, University, and the Travel Center. Questions were fielded regarding the sale of the Burggraf property and the price of gas at the Travel Center. Ms. Bobbie Wolf is associated with N2N University and presents a very informative account of everything associated with recruiting and helping students through the course.

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131 **BREAK**

132 The motion was made by 3rd Council Stovall at 7:30 p.m. to take a five
133 (5) minute break. This was seconded by Treasurer Barnes and the
134 motion carried: 5 approve, 0 opposed.

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136 **RESUME**

137 The motion to return to Open Session at 7:45 p.m. was made by 3rd
138 Council Stovall and seconded by Secretary Brown. Motion carried: 4
139 approve, 0 opposed, 1 absent (2nd Council Daugherty).

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141 **RESOLUTIONS**

142 **Resolution #022818R-01:** Approving a Lease Agreement between
143 the Eastern Shawnee Tribe of Oklahoma and Cook Farms for the lease
144 of the Pickering Farm near Princeton, Kentucky. The motion to
145 approve was made by Treasurer Barnes and seconded by 3rd Council
146 Stovall. Motion carried: 5 approve, 0 opposed.

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148 **Resolution #022818R-02:** Approving the attached Farming and
149 Grazing Lease of Property owned by the Eastern Shawnee Tribe of
150 Oklahoma commonly known as the Waggoner Property. **NOW**
151 **THEREFORE BE IT RESOLVED,** Glenna J. Wallace, Chief of the
152 Eastern Shawnee Tribe of Oklahoma, or her designee (as provided in
153 writing) is authorized to conduct negotiations on behalf of the Eastern
154 Shawnee Tribe of Oklahoma and approve and execute any and all
155 documents relating to the subject lease. **BE IT FINALLY RESOLVED,**
156 that the Business Committee of the Eastern Shawnee Tribe of
157 Oklahoma does hereby wish to approve the attached Farming and
158 Grazing Lease of Property owned by the Eastern Shawnee Tribe of
159 Oklahoma located at 10350 S. 652 Rd. Wyandotte, OK 74370
160 commonly known as the Waggoner Property for a lease period of five
161 (5) years with lease number 921 000G040015; does expressly waive
162 all bonds associated with the subject transaction under 25 CFR
163 162.234; does hereby expressly waive insurance requirements
164 associated with the subject transaction under 25 CFR 162.237; and
165 does expressly waive administrative fees associated with the subject
166 transaction under 25 CFR 162.241 (c); and does hereby grand
167 permission to the Bureau of Indian Affairs to approve a lease for the
168 Waggoner Property. The motion to approve was made by 1st Council
169 Kropp and Treasurer Barnes seconded. Motion carried: 5 approve, 0
170 opposed.

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174 **Resolution #022818R-03:** Authorizing the Eastern Shawnee Family
175 Violence Prevention Program to submit a 2018 Coordinated Tribal
176 Assistance Purpose Area #5 (Violence Against Women) grant available
177 through the Department of Justice – Office on Violence Against
178 Women. **THEREFORE, BE IT RESOLVED** that the Business
179 Committee of the Eastern Shawnee Tribe of Oklahoma does hereby
180 wish to authorize the Eastern Shawnee Family Violence Prevention
181 Program to submit a 2018 Coordinated Tribal Assistance Purpose Area
182 #5 totaling \$900,000 (approx.) with zero tribal match required.
183 Secretary Brown made the motion to approve with Treasure Barnes
184 making the second. Motion carried: 5 approve, 0 opposed.

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186 **Resolution #022818R-04:** Authorizing the Eastern Shawnee Family
187 Violence Prevention Program to submit a Victims of Crime Act (VOCA)
188 Grant available through the District Attorneys Council State of
189 Oklahoma. **THEREFORE, BE IT RESOLVED** that the Business
190 Committee of the Eastern Shawnee Tribe of Oklahoma does hereby
191 wish to authorize the Eastern Shawnee Family Violence Prevention
192 Program to submit a Victims of Crime Act Grant totaling \$59,600
193 (approx.) with zero tribal match required. The motion to approve was
194 made by Treasurer Barnes and seconded by 3rd Council Stovall.
195 Motion carried: 5 approve, 0 opposed.

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197 **Resolution #022818R-05:** Resolution of Support of N2N
198 University's Education Efforts in Indian Country and Authorization for
199 N2NU to receive a Shakopee Mdewakanton Sioux Community (SMSC)
200 Grant Award of \$50,000. **THEREFORE, BE IT RESOLVED** that the
201 Business Committee of the Eastern Shawnee Tribe of Oklahoma does
202 hereby support the education efforts of N2N University (N2NU) in
203 Indian Country. **BE IT FURTHER RESOLVED** that the Business
204 Committee authorizes N2NU to receive a Shakopee Mdewakanton
205 Sioux Community (SMSC) Grant Award of \$50,000. The motion to
206 approve was made by 3rd Council Stovall and Treasurer Barnes
207 seconded. Motion carried: 5 approve, 0 opposed.

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209 **Resolution #022818R-06:** Approving a FY2018 Budget Amendment
210 for the Tribal Match Budget. **THEREFORE, BE IT RESOLVED** that the
211 Business Committee of the Eastern Shawnee Tribe of Oklahoma does
212 hereby wish to approve the "attached" FY2018 Budget Modification #2
213 for the Tribal Match Budget. This Budget Modification is to account for
214 the Aquatic Center project which totaled \$1,310,000 (\$1,200,000

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217 construction contract and \$110,000 for Hydroworx equipment cost that
218 was not in the construction budget). Treasurer Barnes moves to
219 approve and 1st Council Kropp seconds the motion. Motion carried:
220 approve, 0 opposed.

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222 **Resolution #022818R-07:** Approving a FY2018 Budget Amendment
223 for the Capital Outlay Budget. **THEREFORE, BE IT RESOLVED** that
224 the Business Committee of the Eastern Shawnee Tribe of Oklahoma
225 does hereby wish to approve the "attached" FY2018 Budget
226 Modification #3 for the Capital Outlay Budget. This budget
227 Modification is to carry over FY17 funding to cover both known and
228 anticipated FY18 Capital Outlay projects. The motion to approve was
229 made by Treasurer Barnes and seconded by Secretary Brown. Motion
230 carried: 4 approve, 0 opposed, 1 abstention (3rd Council Stovall).

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232 **Resolution #022818R-08:** Authorizing the Eastern Shawnee EPA
233 Department to submit a Tribal Performance Partnership Grant which
234 consists of the EPA 106 Grant, EPA 319 Grant, and the EPA GAP Grant.
235 **THEREFORE, BE IT RESOLVED** that the Business Committee of the
236 Eastern Shawnee Tribe of Oklahoma does hereby wish to authorize the
237 Eastern Shawnee EPA Department to submit a Tribal Performance
238 Partnership Grant consisting of the EPA 106 Grant, EPA Radon Grant,
239 EPA 319 Grant, and the EPA GAP Grant totaling \$321,347.00 with
240 \$8,744.00 tribal match. The motion to approve was made by 3rd
241 Council Stovall and seconded by 2nd Council Daugherty. Motion
242 carried: 5 approve, 0 opposed.

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244 **MOTION**

245 The motion to rescind Resolution #030707R-12: " Resolution
246 authorizing salary increase for Business Committee Members" which
247 set the Business Committee salaries at \$1,000 per month was made
248 by Treasurer Barnes and Secretary Brown seconds. Motion carried: 4
249 approve, 1 opposed (1st Council Kropp).

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251 **Resolution #022818R-09:** Approving a FY2018 Budget Amendment
252 for the Business Committee Budget. **THEREFORE, BE IT RESOLVED**
253 that the Business Committee of the Eastern Shawnee Tribe of
254 Oklahoma does hereby wish to approve the "attached" FY2018 Budget
255 Modification #4 for the Business Committee Budget. This Budget
256 Modification is to amend the Business Committee Budget to cover
257 member wage/fringe adjustment. The motion to approve was made
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260 by 3rd Council Stovall and seconded by 2nd Council Daugherty. The
261 motion did not carry: 2 approve, 3 opposed (1st Council Kropp,
262 Treasurer Barnes and Secretary Brown).

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REQUISITIONS

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MOTION: To approve payment of EN-46407, to UMR, Inc., in the
amount of \$47,101.60 for payment of the February 2018 premium for
healthcare and dental. The motion to approve was made by Treasurer
Barnes and 3rd Council Stovall seconds. Motion carried: 5 approve, 0
opposed.

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MOTION: To approve payment of EN-47449, to Brown and Brown of
Oklahoma, in the amount of \$36,763.00, for the Workman's
Compensation March installment. The motion to approve was made by
3rd Council Stovall and seconded by 2nd Council Daugherty. Motion
carried: 5 approve, 0 opposed.

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MOTION: To approve payment of EN-47674, to UMR, Inc., in the
amount of \$93,413.07 for payment of healthcare benefits for March.
The motion was made by 2nd Council Daugherty and was seconded by
3rd Council Stovall. Motion carried: 5 approve, 0 opposed.

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MOTION: To approve payment of EN-47688, to Thermal Mechanics,
Inc., in the amount of \$67,360.57, for equipment at the Aquatic
Center. Treasurer Barnes made the motion and Secretary Brown
seconds. Motion carried: 5 approve, 0 opposed.

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MOTION: To approve payment of EN-47689, to Branco Enterprises,
Inc., in the amount of \$164,432.04 for payment number 8 for work
completed on the Aquatic Center. This motion was made by Secretary
Brown and seconded by 3rd Council Stovall. Motion carried: 5
approve, 0 opposed.

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MOTION: To approve payment of PR 11407-450-043, in the amount
of \$1,173,094.49, to Encompass Develop, Design & Construction for
services rendered on the Indigo Sky Master Plan. Secretary Brown
made the motion to approve and Treasurer Barnes seconded. Motion
carried: 5 approve, 0 opposed.

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OLD BUSINESS

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A question regarding the ballots going out was presented. Lengthy
discussion held and different opinions given. The Election Board is

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303 suspected of wrong doing by some tribal citizens and Tribal Elder
304 BlueJacket wants the FBI called. Treasurer Barnes said she would call
305 the FBI tomorrow to look into the allegations.

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307 **CLOSED SESSION**

308 The motion to go into Closed Session at 9:25 p.m. after a five (5)
309 minutes break was made by Treasurer Barnes and seconded by 2nd
310 Council Daugherty. Motion carried: 5 approve, 0 opposed.

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312 **OPEN SESSION**

313 The motion to return to Open Session at 11:05 p.m. was made by
314 Treasurer Barnes and seconded by Secretary Brown. Motion carried:
315 5 approve, 0 opposed.

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317 **ADJOURN**

318 The motion to adjourn at 11:06 p.m. was made by Treasurer Barnes
319 and 2nd Council Daugherty seconds. Motion carried: 5 approve, 0
320 opposed.

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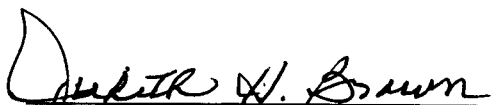
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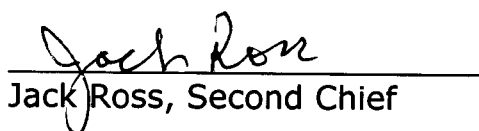
331 Judith H. Brown, Secretary

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March 14, 2018

334 Date



Jack Ross, Second Chief

3-14-18

Date