

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

COPY

1
2 **DATE:** March 13, 2019

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

4 **LOCATION:** BlueJacket Building

5 **INVOCATION:** Chief Glenna Wallace

6
7 **CALL TO ORDER, ROLL CALL, DECLARATION OF QUORUM**

8 The Business Committee Meeting was called to order at 5:33 p.m. with
9 the following answering roll call: 1st Council Gardner, 2nd Council
10 Daugherty, and 3rd Council Stovall. A quorum was declared. 2nd Chief
11 Ross and Chief Wallace were also in attendance.

12
13 **MINUTES**

14 The motion to approve the Minutes of the February 13, 2019 as
15 written was made by 3rd Council Stovall and 2nd Council Daugherty
16 made the second.

17 Motion carried: 3 approve, 0 opposed, 1 absent, 1 vacancy.

18
19 **NEW ENROLLEES**

20 Those applicants presented for consideration were: Ella Dean
21 Littlefield (DOB: 04/08/17), Cole Alexander Turner (DOB: 03/08/18),
22 Cameron James Heck (DOB: 09/05/18), Lydia Joy Whitlock (DOB:
23 01/04/19), Camdyn Ly'lo Richards (DOB: 12/12/16), Aiden River
24 Cowell (DOB:04/09/15), Ayden Francis Lageose-Edwards (DOB:
25 08/23/18), Amelia Rose Hurt (DOB: 08/18/16), Ryan Joseph Hurt
26 (DOB: 07/16/15), Aubrey Marie Hurt (DOB: 08/28/17), Maxfield
27 Gregory Yarbrough (DOB: 11/27/18), Keegan Jay Ankeny (DOB:
28 02/11/19), Bree Lenora Martens (DOB: 12/17/18), Vivian Dee Dixon
29 (DOB: 06/14/18), and Owen Lee Sullivan (DOB: 04/10/18). The
30 **motion** to accept was made by 2nd Council Daugherty and 3rd Council
31 Stovall made the second.

32 Motion carried: 3 approve, 0 opposed, 1 absent, 1 vacancy.

33
34 **REPORTS**

35 **CHIEF GLENNA WALLACE:**

36 **Children's Culture Camp-** Culture Camp will be the last week of July
37 this year. It has been moved from the usual June date so the Children
38 can participate in the Shawna Stovall Back to School Pow-wow without
39 having to make a second trip.

40 **Director's reports** – Reports have been sent to the Business
41 Committee. Some of the highlights were covered.

42 **Overnight Travel** – Accounting, HAVEN, and Benefits all had
43 overnight travel during the month of February.

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44 **Bank Summary:** Total shown at the end of February for Total Assets
45 was \$198,500,000; Net Loans was \$152,600,000; Loan to deposit
46 Ratio 87.79%; Total Deposits \$173,842,000; Eastern Shawnee
47 Deposits \$64,400,000; Book Value per Share increased to \$1,357.00
48 and Eastern Shawnee Value is \$9,518,124. A dividend in the amount
49 of \$175,325 has been received. The total dividends paid to date are
50 \$1,006,365.

51 **Ohio Trip** – Chief Wallace traveled to Ohio to speak during an Ohio
52 Statehood Day gathering. The speech was centered around ongoing
53 efforts to obtain World Heritage Status for mounds built by Tribal
54 Ancestors. Other comments were made about the need for the State
55 to strengthen its burial laws. The current laws are that anything older
56 than 125 years of age can be dug up, looted, or other and the penalty
57 may as well be a slap on the hand.

58 **CCDF** – Concerns were previously raised regarding the quality of
59 service provided by CCDF since the Learning Center opened. The
60 director reports there has been no change in the quality of service and
61 they have not yet touched FY2019 funds. The FY2019 grant amount is
62 more than \$2,700,000.00.

63 **Wild Green Onion Dinner** – The Wild Green Onion Dinner and
64 Fundraiser is scheduled from 11:00 a.m. to 2:00 p.m. March 23rd.
65 This is about the only fundraiser the Tribe does and its purpose is to
66 raise money for the Children's Summer Culture Camp.

67

68 **REPORTS**

69 **CASINO REPORT, INTERIM-GM MELANIE HESKETT:**

70 Financial results for the month of January 2019:

71 **Indigo Sky Casino:** Comparison of month to previous month: Total
72 Revenues (-) 13.88%, Total Expenses (-) 5.68%. Comparison of
73 month to same month a year ago: Total Revenues (+) 8.78%, Total
74 Expenses (+) 14.67 %. Year to Date: Total Revenues (+) 6.26%,
75 Total Expenses (+) 10.51%

76

77 **Outpost Casino:** Comparison of month to previous month: Total
78 Revenues (-) 9.53%, Total Expenses (-) 9.38%. Comparison of month
79 to previous month a year ago: Total Revenues (+) 21.57%, Total
80 Expenses (+) 9.80%. Year to Date: Total Revenues (-) 17.05%, Total
81 Expenses (-) 4.55%.

82

83 **Bordertown Casino & Arena:** Comparison of month to previous
84 month: Total Revenues (-) 0.50 %, Total Expenses (-) 8.49%.
85 Comparison of month to same month a year ago: Total Revenues (+)

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86 16.79%, Total Expenses (+) 6.04%. Year to Date: Total Revenues (+)
87 19.78, Total Expenses (+) 2.45%.

88

89 **Bordertown hours of operation:** In closing, Melanie made the
90 announcement that beginning April 1st, Bordertown's hours will be
91 adjusted. The new hours will be Monday through Thursday 10:00 a.m.
92 to Midnight. It will then be open (24 hours) beginning Friday at 10:00
93 a.m. through Midnight Sunday night.

94

95 **GAMING COMMISSIONER, JALENE WELLS:**

96 This report is based on January 2019.

97 **Employees:** The department currently has 60 employees (15 in the
98 Gaming Commission Department, 39 in the Surveillance Department,
99 and 6 in the Surveillance Technical Department). Of these 18 are
100 Tribal members, one (1) Tribal spouse, and six (6) Native Americans.

101 **Licensing:** This area processed 71 new hires and renewals, 1 gaming
102 company, 13 gaming vendor employees, 12 non-gaming companies,
103 28 non-gaming vendor employees, collected \$2,425.00 in vendor fees,
104 and collected \$13,450.00 in employee licensing fees. A State Audit
105 was conducted on January 16th with no findings.

106 **Electronic Gaming Machines:** There were 23 new machine installs,
107 18 machine software/theme conversions, 6 machines removed, 8
108 software upgrades, 4 software replacements, 0 gaming machine
109 relocations, 1 server install/upgrade, 182 single pieces of software
110 tested, \$78,625 machine fees billed, and \$78,625.00 machine fees
111 collected. A State Audit was conducted on January 16th with no
112 findings.

113 **Surveillance:** There were 2,016 Policy Violations noted on Pryme
114 across all facilities, 138 Incident Reports written, 44 Employee and
115 Patron Medical Reports written, and 15 CD requests for Tribal Police
116 Department. Assisted Tribal PD with a FBI investigation by various
117 information.

118 **Audit Observations and Reports:** Cage -141; EGM - 67; Jackpot -
119 167; Player's Club - 113; Table Inventory - 36; Card Exchange - 5;
120 Table Fill/Credit - 48/10; and 25 Title 31 Inquires completed.

121 **Technical Department:** Currently the Department supports and
122 maintains over 1,200 cameras; 162 access control doors; 26 work
123 stations; 30 servers with fail over; Air Fiber; and three (3) battery
124 backup appliances. There are ten (10) buildings with Surveillance on
125 Genetec (three (3) casinos, Travel Center, Wellness Center, Learning
126 Center, James Greenfeather Bldg., BlueJacket Bldg., Annex, and the
127 Police Department. The Library and EPA Buildings have Surveillance

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128 system assistance.

129 **OTGRA**

130 The Oklahoma Tribal Gaming Regulators Association is coming up April
131 15-17, 2019. Several of the Gaming Commission staff will be
132 performing trainings during the event. If one of the Business
133 Committee Members would like to attend, they can possibly receive a
134 Jess Green scholarship which would cover the conference registration
135 and room expenses.

136

137 **RESOLUTIONS**

138 **Resolution #031319R-01: Resolution to approve the 2019**
139 **Long Range Transportation Plan of the Eastern Shawnee Tribe**
140 **of Oklahoma. NOW THEREFORE, BE IT RESOLVED that the**
141 **Business Committee of the Eastern Shawnee Tribe of Oklahoma**
142 **does hereby wish to approve the attached 2019 Long Range**
143 **Transportation Plan of the Eastern Shawnee Tribe of Oklahoma.**
144 3rd Council Stovall made the motion and 2nd Council Daugherty
145 seconded.

146 Motion carried: 3 approve, 0 opposed, 1 absent, 1 vacancy

147

148 **Resolution #031319R-02: Authority for Constitutional**
149 **Committee. NOW THEREFORE BE IT RESOLVED, that the**
150 **Business Committee of the Eastern Shawnee Tribe of Oklahoma**
151 **does hereby wish to establish a Constitutional Committee to**
152 **promulgate changes to the Constitution of the Eastern**
153 **Shawnee Tribe of Oklahoma within (90) days of the date of this**
154 **Resolution.**

155 1st Council Gardner made the motion and it was seconded by 2nd
156 Council Daugherty.

157 Motion carried: 3 approve, 0 opposed, 1 absent, 1 vacancy

158

159 **Treasurer Barnes Arrived**

160

161 **Resolution #031319R-03: Resolution to pursue establishing**
162 **and maintaining a separate Tribal Court as outlined in Article X**
163 **of the Constitution of the Eastern Shawnee Tribe of Oklahoma.**
164 **THEREFORE, BE IT RESOLVED that the Business Committee of**
165 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
166 **pursue establishing and maintaining a separate Tribal Court as**
167 **outlined in Article X of the Constitution of the Eastern Shawnee**
168 **Tribe of Oklahoma.**

169 1st Council Gardner made the motion and it was seconded by 2nd
170 Council Daugherty.

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171 Motion carried: 3 approve, 1 opposed, 1 vacancy

172

173 The MOTION to table Resolution 031319R-XX: Approving FY2019
174 Budget Amendment for the Gaming Commission was made by 3rd
175 Council Stovall and 1st Council Gardner made the second.

176 Motion carried: 4 approve, 0 opposed, 1 vacancy

177

178 **Resolution #031319R-04: Approving FY2019 Budget**
179 **Amendment for the Business Committee and Human Resources**
180 **Budgets. NOW THEREFORE BE IT RESOLVED, that the Business**
181 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
182 **hereby wish to approve the attached FY2019 Budget**
183 **Modification #5 for the Business Committee and Human**
184 **Resources Budgets. The adjustment is cover bonuses and**
185 **wages fringe not anticipated during the FY2019 budgeting**
186 **process.**

187 Treasurer Barnes made the motion and 3rd Council Stovall made the
188 second.

189 Motion carried: 4 approve, 0 opposed, 1 vacancy

190

191 **Resolution #031319R-05: Approving FY2019 Budget**
192 **Amendment for the Accounting, Education, and Social Services**
193 **Budgets. THEREFORE, BE IT RESOLVED that the Business**
194 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
195 **hereby wish to approve the attached FY2019 Budget**
196 **Modification #6 for the Accounting, Education, and Social**
197 **Services Budgets. This adjustment is to cover a multi-year**
198 **maintenance renewal for software used by each of these**
199 **departments. The multi-year renewal saves \$4,044 over single**
200 **year renewals.**

201 Treasurer Barnes made the motion and 3rd Council Stovall made the
202 second.

203 Motion carried: 4 approve, 0 opposed, 1 vacancy

204

205 **Resolution #031319R-06: Resolution authorizing the**
206 **submission to Arbitration pursuant to Section 12 of the**
207 **attached Customer Agreement between the Eastern Shawnee**
208 **Tribe of Oklahoma and Kestra Investment Services, LLC.**
209 **THEREFORE, BE IT RESOLVED that the Business Committee of**
210 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
211 **authorize the submission to arbitration pursuant to Section 12**
212 **of the attached Customer Agreement between the Eastern**

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213 **Shawnee Tribe of Oklahoma and Kestra Investment Services,**
214 **LLC.**

215 1st Council Gardner made the motion and 3rd Council Stovall made the
216 second.

217 Motion carried: 4 approve, 0 opposed, 1 vacancy

218

219 **Resolution #031319R-07: Approving the Amended Indigo Sky**
220 **Casino, Outpost Casino, and Bordertown Casino and Arena**
221 **Employee Handbook. THEREFORE, BE IT RESOLVED that the**
222 **Business Committee of the Eastern Shawnee Tribe of Oklahoma**
223 **does hereby wish to approve the Amended Indigo Sky Casino,**
224 **Outpost Casino, and Bordertown Casino and Arena Employee**
225 **Handbook as attached.**

226 Treasurer Barnes made the motion and 1st Council Gardner made the
227 second.

228 Motion carried: 4 approve, 0 opposed, 1 vacancy

229

230 **Resolution #031319R-08: Bank Account Name Changes.**
231 **THEREFORE, BE IT RESOLVED that the Business Committee of**
232 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
233 **approve the attached listing of account names and authorizes**
234 **People's Bank of Seneca to change names corresponding to**
235 **listed account numbers.**

236 Treasurer Barnes made the motion and 1st Council Gardner made the
237 second.

238 Motion carried: 4 approve, 0 opposed, 1 vacancy

239

240 **Resolution #031319R-09: Resolution to add Proposed Project**
241 **(A125) to the National Tribal Transportation Facility Inventory**
242 **System. THEREFORE, BE IT RESOLVED that the Business**
243 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
244 **hereby wish to add Proposed Project (A125) to the National**
245 **Tribal Transportation Facility Inventory System.**

246 2nd Council Daugherty made the motion and Treasurer Barnes made
247 the second.

248 Motion carried: 4 approve, 0 opposed, 1 vacancy

249

250 **REQUISITIONS**

251 **MOTION:** To approve payment of EN-56068, to UMR, in the amount
252 of \$36,911.20, for run-out admin fees on the healthcare account. The
253 motion was made by 1st Council Gardner and 3rd Council Stovall made
254 the second.

255 Motion carried: 4 approve, 0 opposed, 1 vacancy

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257 **MOTION:** To approve payment of EN-56314, to Handel Information,
258 in the amount of \$26,551.20, for a 24 month maintenance agreement.
259 The motion was made by 3rd Council Stovall and Treasurer Barnes
260 made the second.

261 Motion carried: 4 approve, 0 opposed, 1 vacancy

262

263 **MOTION:** To approve payment of PR-40181, to Power Promotions, in
264 the amount of \$135,140.00 for the November 2019 Casino Marketing
265 Promotion. The Motion was made by 3rd Council Stovall and Treasurer
266 Barnes made the second.

267 Motion carried: 4 approve, 0 opposed, 1 vacancy

268

269 **MOTION:** To approve payment of PR-40248, to Power Promotions, in
270 the amount of \$30,700.00 for the June 2019 Casino Marketing
271 Promotion. The Motion was made by Treasurer Barnes and 2nd Council
272 Daugherty made the second.

273 Motion carried: 4 approve, 0 opposed, 1 vacancy

274

275 **NEW BUSINESS:**

276 **Casino Liquor License** – The casino needs authorization to submit a
277 letter to the Oklahoma Tax Commission so they can establish a new
278 liquor tax account.

279

280 A MOTION authorizing 2nd Chief Ross to sign a letter to the Oklahoma
281 Tax Commission was made by Treasurer Barnes and seconded by 3rd
282 Council Stovall.

283 Motion carried: 4 approve, 0 opposed, 1 vacancy

284

285 **Brown and Brown Insurance** – Chris Floyd presented the 2019-
286 2020 Work Comp Insurance renewal. Chris covered the full document
287 and answered questions. A Resolution to approve will be added to the
288 next regular meeting.

289

290 **OLD BUSINESS:**

291 **4th of July Event** – No Business Committee Member wished to discuss
292 the issue.

293

294 **OK Native Economic Impact Study** – The Oklahoma Tribal Finance
295 Consortium requested the Eastern Shawnee Tribe's participation in the
296 study to demonstrate the full economic impact of Oklahoma tribal
297 activities. The information will be sent to Oklahoma City University,
298 Center for Native American and Urban Studies. Only the Director of

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299 the Center for Native American and Urban Studies will receive the
300 Tribe's data. The data of all participating Tribe's will be compiled and
301 shared as appropriate. Each participating Tribe will receive a full
302 report on only their own data.

303

304 A MOTION to participate in the study was made by 3rd Council Stovall
305 and 2nd Council Daugherty made the second.

306 Motion carried: 4 approve, 0 opposed, 1 vacancy

307

CLOSED SESSION

309 The motion to go into Closed Session after a break was made at 6:48
310 p.m., by Treasurer Barnes and was seconded by 3rd Council Stovall.

311 Motion carried: 4 approve, 0 opposed, 1 vacancy.

312

OPEN SESSION

314 The motion to return to Open Session at 9:23 p.m. was made by 2nd
315 Council Daugherty and Treasurer Barnes made the second.

316 Motion carried: 4 approve, 0 opposed, 1 vacancy.

317

ADJOURN

319 There being no further business, the motion to adjourn at 9:24 p.m.
320 was made by 2nd Council Daugherty and 3rd Council Stovall seconded.

321 Motion carried: 4 approve, 0 opposed, 1 absent.

322

323

324

325

326 
327 Cheryl Barnes, Treasurer

328

329 3-27-2019
330 Date


Jack Ross, Second Chief

3-27-19
Date