

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA  
REGULAR BUSINESS COMMITTEE MEETING

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**DATE:** June 13, 2018  
**TIME:** 5:30 p.m.  
**LOCATION:** BlueJacket Building  
**INVOCATION:** Chief Glenna Wallace

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

The Business Committee Meeting was called to order at 5:35 p.m. by 2<sup>nd</sup> Chief Ross with the following answering roll call: 1<sup>st</sup> Council Kropp, 3<sup>rd</sup> Council Stovall, Treasurer Barnes, and Secretary Brown. A quorum was declared. Chief Wallace was also in attendance.

**CLOSED SESSION**

The motion to go into Closed Session at 5:37 p.m. was made by 3<sup>rd</sup> Council Stovall and seconded by 1<sup>st</sup> Council Kropp. Motion carried: 4 approve, 0 opposed, 1 absent (2<sup>nd</sup> Council Daugherty).

**2<sup>nd</sup> Council Daugherty arrives at 5:40 p.m.**

**OPEN SESSION**

The motion to return to Open Session at 7:10 p.m. was made by 2<sup>nd</sup> Council Daugherty and Secretary Brown seconded. Motion carried: 5 approve, 0 opposed.

**BROWN & BROWN INSURANCE**

Chris Floyd, Vice President Tribal Insurance Programs, Brown & Brown of Oklahoma, Inc., is here with the Insurance Proposal for July 1, 2018-19 on the ESTOO Property Policy; Package Policy; and the Crime Policy for all Tribal properties. After the presentation and discussion the **MOTION** was made by Treasurer Barnes to accept the Brown & Brown Insurance Proposal for July 1, 2018-19. This was seconded by 2<sup>nd</sup> Council Daugherty and the motion carried: 5 approve, 0 opposed.

**NEW ENROLLEES**

Those presented for enrollment were: Annabelle Grace Jameson (DOB: 04/16/18), Josephine Faith Hurtado (DOB: 04/25/18), and Theodore Logan Hendrix Jones (DOB: 08/17/15). The **MOTION** to accept these applicants was made by 2<sup>nd</sup> Council Daugherty and it was seconded by Treasurer Barnes. Motion carried: 5 approve, 0 opposed.

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45 **MINUTES**

46 The **MOTION** to approve the May 23, 2018 Minutes as written was  
47 made by Treasurer Barnes and 3<sup>rd</sup> Council Stovall seconded. Motion  
48 carried: 5 approve, 0 opposed.

49

50 **REPORTS**

51 **CHIEF GLENNA WALLACE:**

52 **Donation Request:** A donation request was presented and the  
53 **MOTION** to donate \$250.00 to Joseph Blanchard of the Absentee  
54 Shawnee Tribe in support of his political campaign was made by 1<sup>st</sup>  
55 Council Kropp. The motion failed as there was not a second.

56 **Bank Report:** The May 2018 bank figures are: Total Assets -  
57 \$186,518,111; Net Loans - \$144,992,753; Loan to Deposit Ratio -  
58 86.97%; Total Deposits - \$166,723,267; Eastern Shawnee Deposits -  
59 \$63,519,572; Accounts - 3,510; Pre Tax Profit - \$218,191; After Tax  
60 Profit - \$158,191; Return on Equity - 13.56 %; Return on Assets -  
61 1.19%; Total Capital - \$16,370,070; Leverage Capital - 8.78 %; Book  
62 Value Per Share - \$1,201.33; Eastern Shawnee Shares - 7,013; Cost  
63 of 7,013 Shares - \$1,533,322; Cost Per Share - \$219; Eastern  
64 Shawnee Value - \$8,424,920; Monthly Value Increase (\$) 99,420;  
65 Month Value Increase (%) - 1.19%; Net Interest Spread - 4.73%.

66 **HUD-Aquatic Center:** The HUD grant is completely closed on this  
67 project.

68 **HUD-Training & Shooting Range:** The pad for the clubhouse has  
69 been poured, and four (4) walls were scheduled to be up by the end of  
70 the day.

71 **FCC/Cell Tower Update:** I was in Oklahoma City last Friday and met  
72 with the attorney that will represent us. A Resolution has been  
73 prepared for approval to participate in this suit.

74 **Hay Donation Update:** The hay was not delivered to the western  
75 part of the state as Trenton Kissee was never able to make connection  
76 again with the person that was donating the hay.

77 **Duplexes-Federal Home Affordable Loan Update:** Chad has a  
78 Resolution for presentation tonight that we will be our own contractor  
79 on the duplexes being built at the Woodlands with the monies awarded  
80 on this project.

81 **July 4 Holiday:** The Tribal Administration offices will be closed for  
82 business on Wednesday, July 4, 2018.

83 **Stateline Road Update:** They have finished the prep work and the  
84 project is scheduled to begin by the end of July.

85 **Summer Interns:** There have been nine (9) interns hired for the  
86 summer positions.

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**HOUSING AUTHORITY BOARD**

Christy Profitt, Vice Chairman, Housing Authority Board is speaking on behalf of the Board. Also in attendance were Kelly King, Secretary and members Nelson Handcock, and Glen Brock. Bryce Washington was out of town and Ben Dixon, Chairman, was unable to attend this evening. Christy reports they have been very busy and feel they are making great strides. Their mission statement is: To help low-income Eastern Shawnee tribal members first, and then low-income tribal members from other Shawnee bands second, and then low-income tribal members from other Native American tribe third achieve home ownership. Some of the goals they have accomplished, or have on target to accomplish soon are: **1)** We are in the process of conveying seven (7) houses to tribal members for home ownership. **2)** Our goal is to add more houses. We'd like to add seven (7) more houses in the next five (5) years. **3)** We have been attending Strategic Planning Sessions this past six (6) weeks to come up with long-term goals. These sessions lasted two (2) hours each week. **4)** The Board would like to partner with the Tribe and would like to have the Tribe donate the \$200,000 required to obtain a ICDBG grant that totals \$800,000. **5)** We would like the Tribe to build one (1) house per year at a cost of \$150,000 and would like a commitment in the annual budget for this project.

**RESOLUTIONS**

**Resolution #061318R-01: Authorizing an Electric Line Right-of-Way Easement for the Shawnee Skies Complex on South 705 Road.** The motion was made by 2<sup>nd</sup> Council Daugherty and seconded by 3<sup>rd</sup> Council Stovall. Motion carried: 5 approve, 0 opposed.

**Resolution #061318R-02: Approving a FY2018 Budget Amendment for the Elder Crisis Committee Budget.** The motion was made by Treasurer Barnes and seconded by 2<sup>nd</sup> Council Daugherty. Motion carried: 5 approve, 0 opposed.

**Resolution #061318R-03: Resolution to approve an Engagement Agreement between the Eastern Shawnee Tribe of Oklahoma and Akerman, LLP pertaining to the initial petition against the Federal Communication Commission (FCC) regarding 5G/Twilight Towers in which the Tribe's financial commitment will be capped at \$10,000.00.** Secretary Brown made the motion and Treasurer Barnes seconded. Motion carried: 5 approve, 0 opposed.

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**Resolution #061318R-04: Authorizing the sale of Burggraf Corporation Property Located in Pryor, OK to Brett & Christie King.** The motion to approve was made by Treasurer Barnes and seconded by Secretary Brown. Motion carried: 4 approve, 1 opposed (2<sup>nd</sup> Council Daugherty).

**Resolution #061318R-05: Resolution to adopt the Eastern Shawnee Tribe of Oklahoma Code of Conduct.**  
**BY ORDER OF THE OFFICE OF THE CHIEF AND THE BUSINESS COMMITTEE OF THE EASTERN SHAWNEE TRIBE OF OKLAHOMA:**  
**Be advised that threats of violence, false accusations against any individual, vulgar language, and/or disturbances will not be tolerated at any business committee meetings, at any tribal activities, on any tribal grounds, or in any tribal offices or facilities. All tribal members, guests, patrons, contractors, and employees are expected to conduct themselves in a manner that shows respect to all. This posting shall serve as a warning and any and all further violations will result in being removed from the tribal function and may result in being barred from Eastern Shawnee properties, and/or legal action, including prosecution for unlawful actions.** Treasurer Barnes made the motion and 1<sup>st</sup> Council Kropp seconded. Motion carried: 5 approve, 0 opposed.

**Resolution #0613R-06: Resolution to adopt the Eastern Shawnee Tribe of Oklahoma Board Member Code of Ethics.**

**As a member of the board I will:**

- **Uphold the constitution of the Tribe;**
- **Uphold the laws of the Tribe;**
- **Listen carefully to my teammates, and the constituents I serve;**
- **Respect the opinion of my fellow board members;**
- **Respect and support the majority decisions of the board;**
- **Recognize that all authority is vested in the board when it meets in legal session and not with individual board members;**
- **Keep well-informed of developments that are relevant to issues that may come before the board;**
- **Participate actively in board meetings and actions;**
- **Call to the attention of the board any issues I believe will have an adverse effect on the agency or our constituents**

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- **Refer constituent or staff complaints to the proper level on the chain of command;**
- **Listen to and respect issues brought before the board by constituents, and work with the board to resolve these issues timely and effectively;**
- **Recognize that the board member’s job is to ensure that the agency is well-managed, not to manage the agency;**
- **Vote to hire the best possible person to manage the agency;**
- **Represent all constituents of the agency and not a particular geographic area or special interest group;**
- **Consider myself a “trustee” of the agency and do my best to ensure that the agency is well maintained, financially secure, growing, and always operating in the best interests of the constituents;**
- **Always work to learn more about the board member’s job and how to do the job better; and**
- **Declare any conflicts of interest between my personal life and my position on the agency board, and avoid voting on issues that appear to be a conflict of interest.**

**As a member of the board I will not:**

- **Be critical, in or outside of the board meeting, of fellow board members or their opinions;**
- **Use the agency or any part of the organization for my personal advantage or the personal advantage of my friends or relatives;**
- **Discuss the confidential proceedings of the board outside the board meeting;**
- **Retaliate against board members and constituents who bring issues before the board in good faith;**
- **Promise prior to a meeting how I will vote on any issue in the meeting; and**
- **Interfere with the duties of the executive or undermine the executive’s authority.**

The motion to approve was made by 3<sup>rd</sup> Council Stovall and seconded by Treasurer Barnes. Motion carried: 4 approve, 0 opposed, 1 abstention (1<sup>st</sup> Council Kropp).

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217 **MOTION**

218 Secretary Brown made the motion to add four (4) Resolutions to the  
219 Agenda for consideration at this time. This was seconded by 3<sup>rd</sup>  
220 Council Stovall and the motion carried: 5 approve, 0 opposed.

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222 **Resolution #061318R-07: Resolution to RESCIND "Resolution**  
223 **042518R-04 Authorizing the execution of a Tribal Gaming**  
224 **Compact Supplement between the EASTERN SHAWNEE TRIBE**  
225 **OF OKLAHOMA and the STATE OF OKLAHOMA."** Treasurer Barnes  
226 made the motion and Secretary Brown seconded. Motion carried: 5  
227 approve, 0 opposed.

228

229 **Resolution #061318R-08: Accepting the State's Offer to**  
230 **Amend the Eastern Shawnee Tribe of Oklahoma's Gaming**  
231 **Compact.** The motion was made by 3<sup>rd</sup> Council Stovall and seconded  
232 by 2<sup>nd</sup> Council Daugherty. Motion carried: 5 approve, 0 opposed.

233

234 **Resolution #061318R-09: Confirming ten (10) Individuals as**  
235 **Appeals Officers for the Court of Indian Offenses (CFR Court)**  
236 **Trial Division and Appellate Division, Bureau of Indian Affairs,**  
237 **Eastern Oklahoma Region, Miami Agency.** Treasurer Barnes made  
238 the motion and 1<sup>st</sup> Council Kropp seconded. Motion carried: 5  
239 approve, 0 opposed.

240

241 **Resolution #061318R-10: Naming Accounting Director Karen**  
242 **Allen as the Administrator of Burggraf Corporation accounts on**  
243 **Cash Management with the People's Bank of Seneca.** The  
244 motion to approve was made by Secretary Brown and seconded by  
245 Treasurer Barnes. Motion carried: 5 approve, 0 opposed.

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247 **REQUISITIONS**

248 **MOTION:** To approve payment of EN-49814, to Brown and Brown of  
249 Oklahoma, in the amount of \$36,763.00, for the WC 17/19 June  
250 Installment. The motion was made by 2<sup>nd</sup> Council Daugherty and  
251 seconded by 3<sup>rd</sup> Council Stovall. Motion carried: 5 approve, 0  
252 opposed.

253

254 **MOTION:** To approve payment of PR 35181, payable to Financial  
255 Equipment Company, in the amount of \$41,466.00, for casino  
256 equipment. The motion was made by 3<sup>rd</sup> Council Stovall and 2<sup>nd</sup>  
257 Council Daugherty seconded. Motion carried: 5 approve, 0 opposed.

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**MOTION:** To approve payment of PR 35304, in the amount of \$32,000, payable to Magic Seal & Stripe, LLC, for asphalt crack sealing, seal coat, and restripe (entrance, exit, and access roads) at Indigo Sky Casino. Treasurer Barnes made the motion and it was seconded by 3<sup>rd</sup> Council Stovall. Motion carried: 5 approve, 0 opposed.

**MOTION:** To approve payment of PR 35313, payable to Carter Chevrolet Agency, LLC, in the amount of \$67,983.51, for a Corvette Stingray for the July Giveaway. Treasurer Barnes made the motion and 3<sup>rd</sup> Council Stovall seconded. Motion carried: 5 approve, 0 opposed.

**MOTION:** To approve payment of Invoice 11520, payable to Atrient Inc, in the amount of \$60,000, for annual software renewal for Indigo Sky Casino. Secretary Brown made the motion and it was seconded by 2<sup>nd</sup> Council Daugherty. Motion carried: 5 approve, 0 opposed.

**CLOSED SESSION**

The motion to go into Closed Session at 9:07 p.m. was made by 3<sup>rd</sup> Council Stovall and Treasurer Barnes seconded. Motion carried: 5 approve, 0 opposed.

**OPEN SESSION**

The motion to return to Open Session at 9:55 p.m. was made by 3<sup>rd</sup> Council Stovall and seconded by Treasurer Barnes. Motion carried: 5 approve, 0 opposed.

**OLD BUSINESS**

**MOTION:** In order to comply with the referendum that was recently voted upon by the Eastern Shawnee Tribe of Oklahoma I recommend 1<sup>st</sup> Council Larry Kropp and Chief Glenna Wallace be removed from the bank board. This was made by 3<sup>rd</sup> Council Stovall and seconded by 2<sup>nd</sup> Council Daugherty. Motion carried: 4 approve, 0 opposed, 1 abstention (1<sup>st</sup> Council Kropp).

**FOR THE RECORD**

Chief Wallace asked for the record to show that she had informed the board earlier in closed session that she felt it was appropriate for her resignation from the bank board be presented to the bank board and she had already informed them she would be presenting it at the next meeting, which is Tuesday, June 19, 2018.

EASTERN SHAWNEE TRIBE OF OKLAHOMA  
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303 **CLOSED SESSION**

304 Secretary Brown made the motion to go into Closed Session at 10:15  
305 p.m. and this was seconded by 3<sup>rd</sup> Council Stovall. Motion carried: 5  
306 approve, 0 opposed.

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308 **OPEN SESSION**

309 Secretary Brown made the motion to return to Open Session at 11:59  
310 p.m. and it was seconded by Treasurer Barnes. Motion carried: 5  
311 approve, 0 opposed.

312

313 **MOTION:** The motion was made by 3<sup>rd</sup> Council Stovall to authorize  
314 Chad to contact the attorney discussed in Closed Session and ask him  
315 to attend the June 20, 2018 Special Meeting. Treasurer Barnes  
316 seconded and the motion carried: 4 approve, 0 opposed, 1 abstention  
317 (1<sup>st</sup> Council Kropp).

318

319 **ADJOURN**

320 There being no further business, the motion to adjourn at 12:00 a.m.  
321 was made by Treasurer Barnes and 3<sup>rd</sup> Council Stovall seconds.  
322 Motion carried: 5 approve, 0 opposed.

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327 *Judith H. Brown*  
328  
329 Judith H. Brown, Secretary

330 June 27, 2018  
331  
332 Date

*Cheryl Barnes*  
~~Jack Ross, Second Chief~~  
*Cheryl Barnes, Treasurer*

June 27, 2018  
Date