

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

44

45 **REPORTS**

46 **Chiefs Report**

47 Received two donation requests, one from a Belinda McLaughlin asking
48 for a sponsorship of \$500.00 to attend a breast cancer funding event.
49 Funds raised will go to the USF Breast Health Program.

50

51 The other request is from Tracy Lowe, a Tribal member. He has been
52 nominated for a Native American 40 Under 40 award, this is a
53 prestigious award. He is needing financial assistance to attend the
54 award ceremony in Phoenix, Arizona. The approximate cost of a flight
55 from Tulsa to Phoenix, AZ is around \$700.00.

56

57 MOTION to approve a \$500.00 donation to Belinda McLaughlin, with
58 \$250.00 coming from the Business Committee budget and \$250.00
59 from the Chiefs budget, made by Treasurer Barnes with a second by
60 2nd Council Daugherty.

61 Motion carried: 4 approved, 0 opposed, 1 absent

62

63 MOTION to approve the cost of round trip flight from Tulsa to Phoenix,
64 AZ for Tracy Lowe was made by 1st Council Gardner with a second by
65 Secretary Kraus.

66 Motion carried: 4 approved, 0 opposed, 1 absent

67

68 **Bank Report**

69 Total assets are at \$200,000,000 - Down \$1,000,000 from last month

70 Net loans \$160,367,510 - Loans are up about \$100,000

71 Loans to deposit ratio 89.51%. - Currently have no money for loans.

72 Total bank deposits \$179,160,000 - Deposits are up.

73 Eastern Shawnee deposits \$67,653,000 - Most we've ever had.

74 Accounts increasing a little each month.

75 After Tax Profit \$241,596. *Ordinarily this would sound good but was*

76 *disappointing because below I show our Eastern Shawnee value at*

77 *\$9,984,368, I was hoping for that additional \$16,000 to hit the*

78 *\$10,000,000 mark.*

79 Return on Equity 12.62% - Won't get that any place else.

80 Return on Assets 1.25%

81 Leverage Capital - Needs to be at 10% but has never been there,
82 keeps inching up each month, currently at 9.87%.

83 Book Value Per Share has increased to \$18.00 per share. With our
84 shares at 7013 that is a little bit of money.

85 Net Interest Spread is the same as last month. 4.86%

86 Past Dues are at .69%

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88 **Duplexes** – All four are occupied. The landscaping has not been
89 done.

90 **Shawna Stovall Back to School Powwow** – Due to the rainy
91 weather it had to be moved inside. It was very well attended with an
92 attendance of 1,033 people. A total of 800 backpacks were ordered
93 and all 800 were given away. Congratulations to everyone!!

94 **Children's Culture Camp** – went well. Haven't heard how it was
95 evaluated after immediately following the Children's Powwow.

96 **Horse Camp** – Due to the weather camp only lasted one day and
97 night. Moved into the Sandy Captain Cultural Center for camp out.
98 There was about 20 people in attendance.

99 **Cancer Gala** at Indigo Sky went very well, have not heard how much
100 money was raised.

101 **Powwow** – Scheduled for the third week in September. Friday night
102 will not be regular powwow activities but will be a Shawnee Night on
103 the powwow grounds. There will be the same as two powwows on
104 Saturday, one at 1:00pm and the other at 7:00pm, Sunday will be as
105 usual.

106 **General Council Meeting** – Sept. 7th, meal will begin at 5:00pm.

107 **Funded Grants**

108 ANA year two of three - \$157,376.00

109 SAMSA year two of five - \$136,173.00

110 THPO FY19 funding expires 9/30/21 - New grant funds are \$56,066.00

111 IMLS Basic Library Grant – Basic grant of \$7,000.00 increased to
112 \$10,000.

113 DHHS/CCDF additional funding of \$69,880.00 expires 9/30/21

114 This is what we have been notified of this year.

115 **GRDA/FERC/Sen. Inhofe**

116 Had an interesting meeting at City Hall in Miami, with Tribal leaders
117 and the City of Miami, although the meeting had to do with GRDA,
118 FERC and Senator Inhofe none of those were present. Actually, a
119 reporter who had learned of the situation in Ottawa County and the
120 reporter was from The New York Times. She was there because of an
121 interesting situation that has developed.

122 For three years the Tribes and the City of Miami have tried to work
123 with GRDA and brought up some issues and for three years they have
124 constantly been told that those are topics that should be discussed
125 when it's time for relicensing. This is the year for discussion for
126 relicensing. Suddenly the City of Miami gets a telephone call from
127 someone who tells them that Senator Inhofe of Oklahoma, Chair of
128 Defense Bill and Defense Spending has inserted an amendment into
129 that defense bill which essentially says that all of these issues that

0 to 0 #

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131 would be discussed by Tribes that Federal entities are not allowed to
132 do that and are not eligible, and that would affect all of the Tribes. He
133 inserted it two days before the Bill was to be voted upon. There was
134 great disappointment that Senator Inhofe would do this. The reporter
135 has not completed the article but is writing it and meeting with the city
136 of Miami and Tribal representatives, and etc.

137 **Senator Lankford**

138 Yesterday we met with Senator Lankford, from Oklahoma, at his
139 request. He implied very strongly he had great concern about the
140 marijuana and medical marijuana situation. Marijuana has been
141 approved for just one year and already 120,000 approved. He has
142 concern about what effect, negative effect that would have on the
143 State of Oklahoma. Did not encourage any tribe to go into growing
144 marijuana, that it was going to be such a financial entity, that there
145 are large, large corporations that are preparing for it and there would
146 be little chance of a tribe competing with that.

147 **Northeast 9 meeting with Governor Stitt**

148 Governor Stitt came and met with the nine Tribes of Ottawa County,
149 and there was some confrontation. The Tribes believe that there is the
150 Evergreen clause which even though there is negotiation and an
151 agreement is not reached the Compact automatically renews. That is
152 the Tribes position, that is not Governor Stitt's position. Governor Stitt
153 believes there has to be negotiation and there has to be agreement.
154 We then took a position of trying to point out to him the many things
155 that we do in addition to the fees that we pay in. Every tribe was
156 encouraged to list all of the things we do over and beyond the fees
157 that we pay and to show what we do with our resources and how we
158 help. Governor Stitt was not coming off well in this meeting. His Aide
159 stepped in and took control of the meeting and said we want this to be
160 a win, win situation for both Oklahoma and for every single tribe, our
161 interest is in enhancing not taking away from it.

162 There is another meeting tomorrow of OIGA.

163 **ICW Lawsuit- Indian Child Welfare**

164 Received excellent news on ICW. A Judge in Texas has ruled that the
165 lawsuit is totally unconstitutional and he was doing away with the
166 entire thing. The argument was that the ICW Act is racially based
167 and unconstitutional but ICW and the Tribes point of view was that it is
168 not unconstitutional because it is not racially based but is politically
169 based and that the tribes are mentioned in the United States
170 Constitution and they won the case

171

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174 Had an update from NARF (North American Rights Fund) indicating
175 that they did not think it would be appealed and that it was settled and
176 it was ruled in favor of the Tribe.

177 **FCC Lawsuit**

178 Had another favorable ruling for the Tribe the same day, involving the
179 lawsuit against the FCC. The FCC lawsuit is the one about the cell
180 towers. Several Tribes from this area and particularly lead by the
181 United Catoowa Band of the Cherokees filed suit against the FCC and
182 challenged their decision not to pay and not to require upfront
183 payment in reference to the cell tower program. That was ruled upon
184 Friday and ruled in favor of the Tribes. What the implications are is
185 unknown. Will probably now have to ask for a consultation.

186 **ODOT**

187 Had reported previously that ODOT hired a company to come in and
188 survey property. They surveyed and trespassed on trust property
189 without asking for permission. We recently received an interesting
190 ruling from ODOT that they would be taking additional right of way in
191 front of the Travel Center, additional right of way all along the Young
192 property as well as additional right of way from Clint Kissee and RC
193 Kissee. All of us protested and said that they had violated the law by
194 not getting permission from us and that we were trust property and
195 we could ask for damages, and so we did ask for damages. We ask for
196 \$10,000.00 each for the land in front of the Travel Center, the Young
197 property, the Clint Kissee property and the RC Kissee property. We
198 received a letter back saying they had determined that they did not
199 need as much property as they had thought so they would be dropping
200 that.

201 **Cleat Inspection for our Police Dept. & Law Enforcement Center**

202 Cleat was here yesterday and inspected the premises there, the
203 Shooting Range and Law Enforcement Center. They indicated they
204 were pleased with everything and gave their approval.

205 **Battle of Fallen Timbers Commemoration**

206 The Battle of Fallen Timbers was fought in 1794 just outside of Toledo
207 and this is the 225th commemoration and will be taking place this
208 Monday and Tuesday. Was contacted about eight months ago to be
209 the primary speaker for that. I will be going and will be gone Monday,
210 Tuesday and Wednesday.

211

212 **RESOLUTIONS**

213 **Resolution #081419-R-01: FY2020 Eastern Shawnee Tribe of**
214 **Oklahoma Tribal Administration Operating Budget**

215

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217 **NOW THEREFORE BE IT RESOLVED, that the Business**
218 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
219 **hereby approve the proposed FY2020 Eastern Shawnee Tribe of**
220 **Oklahoma Tribal Administration Operating Budget.**

221 MOTION to approve Resolution #081419-R-01 made by 2nd Council
222 Daugherty with a second by Treasurer Barnes.

223 Motion carried: 4 approved, 0 opposed, 1 absent

224

225 **Resolution #081419-R-02: Resolution to approve an increase**
226 **of annual funding to the Ceremonial Chief Checking Account at**
227 **People's Bank.**

228 **NOW THEREFORE BE IT REOLVED, that the Business Committee**
229 **of the Eastern Shawnee Tribe of Oklahoma does hereby**
230 **authorize an increase in funding to the Ceremonial Chief**
231 **Checking Account at the People's Bank. The account will now**
232 **be funded \$40,000.00 "in full" each Fiscal Year beginning**
233 **October 2019 for FY2020.**

234 MOTION made to approve Resolution #081419-R-02 made by
235 Treasurer Barnes with a second by 1st Council Gardner.

236 Motion carried: 4 approved. 0opposed, 1 absent

237

238 **REQUISITIONS**

239 None

240

241 **NEW BUSINESS**

242 Site Landscaping Agreement

243 Landscaping and maintenance will be provided at all three casinos by
244 Site Landscape Development. Agreement is for a 2-year period,
245 beginning 9/01/2019, at an annual cost of \$240,497.64. The casino
246 General Manager gave a good recommendation on this company.

247

248 **Resolution #081419-R-03: Resolution authorizing a**
249 **landscaping maintenance agreement for Indigo Sky, Outpost,**
250 **and Bordertown Casinos with Site Landscape Development.**
251 **NOW THERFORE BE IT RESOLVED, that the Business Committee**
252 **of the Eastern Shawnee Tribe of Oklahoma does hereby**
253 **approve the attached two-year landscaping maintenance**
254 **agreement for Indio Sky, Outpost, and Bordertown Casinos**
255 **with Site Landscape Design totaling \$240,497.64 (annual).**

256 MOTION made to approve Resolution #081419 -R-03 made by 1st
257 Council Gardner with a second by Treasurer Barnes.

258 Motion carried: 4 approved, 0 opposed, 1 absent

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260 **OLD BUSINESS**

261 Election Board

262 Due to the Election Board Lawyer being out of town and not available
263 to attend the meeting, the Election Board is not attending the meeting,
264 as requested, either.

265

266 **CLOSED SESSION**

267 MOTION to go into closed session after a five-minute break was made
268 by Treasurer Barnes with a second by 2nd Council Daugherty.

269 Motion carried: 4 approved, 0 opposed, 1 absent (7:27)

270

271 Motion made to return to open meeting made by Treasurer Barnes
272 with a second by Secretary Kraus.

273 Motion carried: 4 approved, 0 opposed, 1 absent (9::37)

274

275 **ADJOURN**

276 Motion to adjourn made by Treasurer Barnes with a second by
277 Secretary Kraus.

278 Motion carried:

279 4 approved, 0 opposed, 1 absent

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Norma J. Kraus
Norma J. Kraus, Secretary

8-28-19
Date

Jack Ross
Jack Ross, Second Chief

8-28-19
Date