

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1 **DATE: Wednesday, October 13, 2021**

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 5:47 p.m. with the following
8 answering roll call: 1st Council Gardner, 2nd Council Daugherty, 3rd Council Kraus,
9 Treasurer Barrett, Secretary Littlefield. 2nd Chief Samples and Chief Wallace were in
10 attendance.

11 A Quorum was declared by 2nd Chief Samples.

12

13 **NEW ENROLLEES**

14 None presented.

15

16 **MINUTES**

17 **MOTION:** To approve the minutes of the September 22, 2021, as amended. Correction
18 made to line 173 changing the word Ament to Amend. The motion was made by 3rd
19 Council Kraus with second by Treasurer Barrett.

20 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

21

22 **REPORTS**

23 **Chief**

24 **Thank You – Chief Wallace presented a thank you note from the Wellness Center**
25 **Employees expressing their thanks for the Retention Pay recently received.**

26 **Donation Request – 4th Grade Red Zone – Miami, Oklahoma football team request**
27 **donation for their trip to Dallas. 25 boys will be traveling to Dallas to play their**
28 **game on the field at AT&T Stadium. Donation will be used for travel, food and**
29 **hotel expenses for the 25 boys. Chief Wallace will handle this donation from her**
30 **Budget.**

31 Director Reports – Each BC member received a copy of these reports and Chief Wallace
32 read the reports for tribal member's information.

33 HIP Report – All projects have been completed except four projects that are currently on
34 hold due to supply chain problems.

35 AOA Opening – Nov. 1st has been set as a tentative reopening date. The possibility of a
36 dual program is being considered so that AOA members can come inside for their meal
37 or pick it up thru a drive-thru. 3,279 meals were served in September. Wyandotte Nation
38 Center has reopened so you will see a decrease in these meals. All damage to our AOA
39 due to the broken pipes last February has been completed.

40 Trunk or Treat – Thursday, October 28th, 2021.

41 Bearskin Health Fair – Oct. 22, 2021, is the date for the joint health fair with Bearskin.
42 This is for Seniors and lunch will be provided.

43 Haven Walk – to be held October 28th, 2021, in the late afternoon. This is a Domestic
44 Violence Awareness walk.

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45 Victor Flores, President of Oklahoma Tribal Finance Consortium has contacted Chief
46 Wallace requesting that our tribe consider being a part of the Oklahoma Native Economic
47 Impact Study. Chief Wallace provided the Business Committee with a copy of the
48 Oklahoma Native Economic Impact Report to review. Also included was a copy of the
49 MOU that relates to the maintenance responsibilities for the Tribe and Ottawa County for
50 the sections of roadway. This report allows people in the state of Oklahoma to see what
51 the Tribes do for the state of Oklahoma. Per the 2019 report Tribes are the No. 2 Industry
52 in Oklahoma.

53

54 MOTION: Motion authorizing Chief to sign the MOU for the Oklahoma Native
55 Economic Impact Report. Treasurer Barrett made the motion with second by 1st Council
56 Gardner.

57 Motion carried: 5 approved, 0 opposed, 0 abstained and 0 absent.

58

59 Children's Christmas Gift – Chief Wallace states that due to the number of gift cards that
60 are needed she is having difficulty obtaining the cards. These cards are for children up to
61 the age of 18 and \$25.00 is given to each child. There is a \$3.00 per card fee. Melanie
62 Heskitt, General Manager of Indigo Sky Casino states she would be able to make
63 connections with her source at Walmart Corporate to assist in obtaining the needed cards.
64 This call was made during this meeting by Melanie and the needed cards will be supplied
65 at no charge to the tribe.

66

67 5 Tribes Recommendations – Chief Doug Lankford, Chief of the Miami Tribe and Doug
68 Halloran, Attorney have been pursuing getting a Guaranteed Federal Loan with 4 other
69 Tribes for \$20,000,000 to construct a Federal Building that would house different Federal
70 Programs such as Tribes that have their own Tribal Courts and there could also be a jail
71 there. This is all under discussion by the 5 Tribes and no decision has been made
72 whatsoever. These 5 tribes have been meeting monthly, virtually most of the time for at
73 least the last 3 or 4 months. Chief Wallace will bring this back whenever definite
74 development occurs.

75

76 Tiny Homes – It was decided to continue to build some Tiny Homes for the Haven
77 Program. At this point there is no construction but the ordering of materials is being
78 started.

79

80 Outdoor Project of ECLC – This project is funded by the CCDF. This will provide a
81 second playground for the ECLC including 3 outdoor shelters, outdoor restrooms,
82 parking lot, lighting and a Splash Pad. The Splash Pad would be open to the Community
83 on the week-ends. The first expenditure for this project was presented for relocating of
84 the fiberoptics and electric lines.

85

86 Loving Grace – Our Ceremonial Chief has reported that there has been an increase in
87 suicide attempts and other negative issues since the onset of Covid. States a Shelter is
88 needed. Chief Wallace visited Loving Grace which is a Shelter in Joplin for females ages
89 17-24. They can stay there for \$25.00/weekly and are served one meal a day. Loving

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90 Grace has Counselors available for problems with addiction, suicide prevention and the
91 other problems that we are seeing more of. They also work to assist these young women
92 in finding employment. Representatives from the Haven Program also went to view this
93 program.

94 Cares Recommendations – We have approximately \$3M in Cares Funds that we need to
95 have obligated by December 30th. The Department Directors have submitted lists and
96 estimates of how the remaining Cares Act Funds could be utilized. These lists are for
97 review by the Business Committee to determine which will be funded.

98
99 Clarification of information/misinformation – Chief Wallace states that she would like to
100 address some misinformation that has been discussed on social media, concerning her not
101 being granted access to the Closed Sessions of the Business Committee and bonuses
102 being paid from Cares Funding. She confirms that bonuses were paid to Employees and
103 Elected Officials, but this money did not come from CARES Funding. The bonuses were
104 paid from the General Funds. Also, that at one time she was not allowed into the Closed
105 Session meetings but for the past year she has been allowed access to all Business
106 Committee Closed session meetings. Treasurer Barrett also asked Chief Wallace to
107 confirm that we have received clean audits involving the Cares Funding and that the
108 standard practice concerning Tribal Administration and Accounting to receive Casino
109 Financials is from the Casino Accounting Department not from the Treasurer. Chief
110 Wallace confirmed each of these statements to be true.

111
112 Tecumseh’s Motel in Ohio – Chief Wallace states the Governor of Ohio wants to create a
113 State Park there and three Shawnee Tribes have been invited to participate in the planning
114 and all details that go into this. she is proud to announce that one of our Tribal members,
115 Talon Silverhorn has been named as the Project Director for the State Park in Ohio.
116 Chief Wallace has been actively participating in these zoom phone calls allowing the
117 tribes to make recommendations.

118
119 Claremore Indian Hospital Mtg – not discussed.

120
121 Methodology for 2022 Raises – Chief Wallace raises this question as some departments
122 are doing their evaluations now and she would like to discuss this issue further later.

123
124 110 Road – Everything has been cleared with Muscogee BIA to move forward with
125 construction of 110 road connecting State Line via 110 Road with the Eastern Shawnee
126 Housing Authority. Ottawa County Commissioners are in charge of developing design
127 and County does the planning and construction. We fund the project and have available
128 \$2,533,214 for this project. Following completion of the road the County is responsible
129 for upkeep, maintenance, repairs. The MOU has been signed and completed. Dates of
130 the meetings with the County will be provided for anyone wanting to attend.

131
132 **RESOLUTIONS**

133 **RESOLUTION NUMBER 101321-R-01 Resolution Authorizing the Submission of**
134 **an application to the Department of Housing and Urban Development (HUD) for an**

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135 **Indian Community Development Block Grant (ICDBG) for the Construction of a**
136 **Museum by the Authorized Organization Representative (AOR).**
137 **NOW THEREFORE BE IT RESOLVED**, that the Business Committee of the Eastern
138 Shawnee Tribe does hereby authorize the Submission of an application to the Department
139 of Housing and Urban Development (HUD) for an Indian Community Development
140 Block Grant (ICDBG) for the Construction of a Museum by the Authorized Organization
141 Representative (AOR).

142 The Eastern Shawnee Tribe of Oklahoma has met the Citizen Participation Requirement
143 of 24 CFR 1003.604. The views and comments from the community about the possible
144 use of ICDBG funds were gathered and considered prior to submission.

145 **BE IT FINALLY RESOLVED**, that the Eastern Shawnee Tribe of Oklahoma does
146 hereby commit the following to the Museum Project.

- 147 1. \$750,000 Tribal Funds as leveraged resource
- 148 2. Land with necessary utilities on site

149 **MOTION:** To approve Resolution Number 101321-R-01. The motion was made by
150 Treasurer Barrett and seconded by Secretary Littlefield.

151 Motion carried: 3 approved, (Kraus, Barrett, Littlefield), 2 opposed (Gardner,
152 Daugherty), 0 absent, 0 abstained.

153 Treasurer Barrett requested that as soon as the Grant is complete that it be sent to the
154 Business Committee.

155

156 **RESOLUTION NUMBER 101321-R-02 Authorizing the use of the Eastern Shawnee**
157 **Tribe of Oklahoma Tribal Seal for ESTO Administration Departments and ESTO**
158 **Entities.**

159 **NOW THEREFORE BE IT RESOLVED**, that the Business Committee of the Eastern
160 Shawnee Tribe does hereby authorize the Chief of the Eastern Shawnee Tribe of
161 Oklahoma or their designee to authorize the use of the Eastern Shawnee Tribe of
162 Oklahoma Tribal Seal for all ESTO Administration Departments and ESTO Entities.

163 **BE IT FURTHER RESOLVED, that all outside requests for use of the Tribal Seal**
164 **must be approved by the Business Committee of the Eastern Shawnee Tribe of**
165 **Oklahoma.**

166 **MOTION:** To approve Resolution Number 101321-R-02. The motion was made by 1st
167 Council Gardner with second by 2nd Council Daugherty.

168 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

169

170 **MOTION TO ADD TO THE AGENDA** Resolution Number 101321-R-03 and 101321-
171 R-04. The motion was made by Treasurer Barrett with second by 3rd Council Kraus.

172 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

173

174 **RESOLUTION NUMBER 101321-R-03 Resolution to approve the release of ARPA**
175 **Funding to assist Eastern Shawnee Tribal Members who are an elder, on disability,**
176 **or receive temporary disability benefits from the Tribe.**

177 **NOW THEREFORE BE IT RESOLVED**, that the Business Committee of the Eastern
178 Shawnee Tribe finds that our elders, those on disability or temporary disability have been
179 negatively impacted by COVID-19.

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180 **BE IT FURTHER RESOLVED**, that the Business Committee of the Eastern Shawnee
181 Tribe of Oklahoma does hereby wish to approve an appropriation of \$1,000.00 per tribal
182 member who is an elder, on disability, or receive temporary disability from American
183 Rescue Plan Act Funding.

184 **BE IT FINALLY RESOLVED**, that the Health and Social Services Department shall
185 process payments for those eligible for the disbursement before December 1, 2021.

186 **MOTION:** To approve Resolution 101321-R-03. The motion was made by 1st Council
187 Gardner and seconded by Treasurer Barrett.

188 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

189

190 **RESOLUTION NUMBER 101321-R-04 Resolution to authorize Casino**
191 **Management to pay off the Indigo Sky Casino Note with People's Bank.**

192 **NOW THEREFORE BE IT RESOLVED**, that the Business Committee of the Eastern
193 Shawnee Tribe does hereby wish to pay off the loan for Indigo Sky Casino at People's
194 Bank of Seneca.

195 **FURTHER BE IT RESOLVED**, that the Business Committee of the Eastern Shawnee
196 Tribe of Oklahoma does hereby direct casino management to notify People's Bank of
197 Seneca of the intent to pay off the loan on or before December 1, 2021.

198 **MOTION:** To approve Resolution 101321-R-04. The motion was made by 2nd Council
199 Daugherty with second by 3rd Council Kraus.

200 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

201

202 **MOTION** to take a 5- minute break at 7:31 p.m. Motion made by Treasurer Barrett with
203 second by 2nd Council Daugherty.

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

205

206 **MOTION** to return to open session at 7:47 p.m. Motion made by 2nd Council Daugherty
207 with second by Treasurer Barrett.

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

209

210 **REQUISITIONS**

211 Requisition EN-80195 payable to Early Childhood Learning Center in the amount of
212 \$30,064.00 for August childcare.

213 **MOTION:** To approve EN-80195. The motion was made by Treasurer Barrett and
214 seconded by 2nd Council Daugherty.

215 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

216

217 Requisition EN- 80244 payable to Pelivan Transit/Grand Gateway E.D.A in the amount
218 of \$39,478.81 for Pelivan Invoice 727 August 2021.

219 **MOTION:** To approve EN-80244. The motion was made by Treasurer Barrett and
220 seconded by 2nd Council Daugherty.

221 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

222

223 Requisition EN-80274 payable to Bobby Cole in the amount of \$65,000.00 for the Tiny
224 House water and sewer lines.

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- 225 **MOTION:** To approve EN-80274. The motion was made by Treasurer Barrett and
226 seconded by 2nd Council Daugherty.
227 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
228
- 229 Requisition EN-80316 payable to Grand Lake Mental Health in the amount of
230 \$44,632.33 for the September 2021 Contract Services.
231 **MOTION:** To approve EN-80316. The motion was made by Treasurer Barrett and
232 seconded by 2nd Council Daugherty.
233 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
234
- 235 Requisition EN-80445 payable to Indigo Sky Casino in the amount of \$37,703.85 for the
236 August PPE Supplies/COVID Tests.
237 **MOTION:** To approve EN-80445. The motion was made by Treasurer Barrett and
238 seconded by 2nd Council Daugherty.
239 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
240
- 241 Requisition EN-80585 payable to Jeff Asbell Excavating & Trucking in the amount of
242 \$68,613.04 for the Pay App No. 4.
243 **MOTION:** To approve EN-80585. The motion was made by Treasurer Barrett and
244 seconded by 2nd Council Daugherty.
245 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
246
- 247 Purchase Requisition PR00053984 payable to Proforma GPS in the amount of
248 \$181,440.00 for Continuity Program April 2022.
249 **MOTION:** To approve PR00053984. The motion was made by Treasurer Barrett and
250 seconded by 2nd Council Daugherty.
251 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
252
- 253 Purchase Requisition PR00054035 payable to Proforma GPS in the amount of
254 \$158,400.00 for July 2022 Continuity Program.
255 **MOTION:** To approve PR00054035. The motion was made by Treasurer Barrett and
256 seconded by 2nd Council Daugherty.
257 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
258
- 259 Purchase Requisition PR00054156 payable to Proforma GPS in the amount of
260 \$179,094.00 for Continuity Program for June 2022.
261 **MOTION:** To approve PR00054156. The motion was made by Treasurer Barrett and
262 seconded by 2nd Council Daugherty.
263 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.
264
- 265 Purchase Requisition PR00054157 payable to Proforma GPS in the amount of
266 \$171,840.00.
267 **MOTION:** To approve PR00054157. The motion was made by Treasurer Barrett and
268 seconded by 2nd Council Daugherty.
269 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

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270

271 Purchase Requisition PR00054158 payable to Proforma GPS in the amount of
272 \$158,400.00 for Continuity Program for September 2022.

273 MOTION: To approve PR00054157. The motion was made by Treasurer Barrett and
274 seconded by 2nd Council Daugherty.

275 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

276

277 **NEW BUSINESS**

278 **Consolidated Dispatch – Information was presented by Chad Kelly. The Quapaw**
279 **Tribe has allocated the land for the construction of a Consolidated Dispatch service**
280 **for Ottawa County. The City of Miami will provide the vast majority of personnel**
281 **cost. This will be used by fire, EMS and ambulance and other services and a**
282 **request of a \$12,000.00 donation to receive services has been made. All tribes,**
283 **county and cities will be sharing expenses. ARPA Funding can be used during the**
284 **first year. Anyone who contributes will have a seat on this board.**

285 **A request was made by the Business Committee to see the Operating Agreement in**
286 **re: our rights, dispute resolutions. The Business Committee also requested that no**
287 **payment be given until more information is provided and that Audrey Dixon, Tribal**
288 **Attorney should be included in the planning.**

289

290 **Bud Enyart presented a request for the Business Committee to look at ways to assist**
291 **Tribal Members who have had Covid long haul for months. States he has been**
292 **contacted by two tribal members who have had Covid for months to a year and they**
293 **are in need of financial assistance. The Business Committee suggested setting up**
294 **additional programs to help tribal members and this will be added to the next work**
295 **meeting agenda.**

296

297 **Bud Nelson discussed his objections as to how the Resolutions and motions are**
298 **handled by the Business Committee.**

299

300 4th Grade Redzone – Miami – This was covered in the Chief's report.

301

302 **OLD BUSINESS**

303 None

304

305 **MOTION:** To go into Closed Session at 8:26 p.m. The motion was made by Treasurer
306 Barrett with second by 3rd Council Kraus.

307 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

308

309 **CLOSED SESSION**

310

311 **MOTION:** To return to Open Session at 11:50 p.m. The motion was made by 2nd
312 Council Daugherty with second by 1st Council Gardner.

313 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

314

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315 MOTION: To approve Utility Relocation at the 10-C Complex behind the Wellness
316 Center/ECLC for the total amount of \$103,542.45 for the fiber optics and electric with
317 supporting documentation to be provided. Motion made by 1st Council Gardner with
318 second by 2nd Council Daugherty.

319 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

320

321 MOTION: To adjourn at 11:53 p.m. The motion was made by 2nd Council Daugherty
322 with second by 1st Council Gardner.

323 Motion carried: 5 approved, 0 opposed, 0 abstained, and 0 absent.

324

325 ADJOURN

326

327

328

329

330

331

Debbie Littlefield
Debbie Littlefield, Secretary

332

333

334

335

11-10-21
Date

Chris Samples
Chris Samples, Second Chief

332

333

334

335

11/10/21
Date