

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

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DATE: Wednesday, April 28, 2021
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 5:32 p.m. with the following answering roll call: 1st Council Gardner, 2nd Council Daugherty, 3rd Council Kraus, Treasurer Barrett and Secretary Littlefield. Chief Wallace and 2nd Chief Ross were in attendance. A Quorum was declared by 2nd Chief Ross.

NEW ENROLLEES –

Jaxson Rosario Sparacio – DOB: 12/08/2016
Lincoln Cande Sparacio – DOB: 06/03/2020
Karson Taylor Ford – DOB: 01/18/2021

MOTION TO APPROVE NEW ENROLLEES MADE BY 2nd Council Daugherty with second by 3rd Council Kraus.
Motion carried: 5 approved, 0 opposed, 0 abstained.

MINUTES

Motion to approve Minutes of the April 12th, 2021 Business Committee Meeting as amended made by Treasurer Barrett with second by 2nd Council Daugherty.
Motion carried: 5 approved, 0 opposed, 0 abstained.

REPORTS

CASINO: Melanie Heskitt, General Manager

Month over previous Month – ISC Revenue up by 66%, Outpost Revenue up by 83.5%. Comparison to Month a year ago – ISC Revenue up 160%, Expenses up 14.6%, EBIDA up 786%.

Outpost Casino Revenue up 192%, Expenses up 3.79%, EBIDA up 3,415%.

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35 **Year to Date Totals – ISC Revenue up 27%, Expenses down**
36 **10%, EBIDA up 232%. Outpost Revenue up 19.1%, Expenses**
37 **down 19.2%, EBIDA up 97%.**

38 **Both Casinos were closed for 13 days in March due to COVID**
39 **restrictions in 2020. Outpost Casino was closed for 6 days in**
40 **February and ISC was closed for 2 days.**

41 **GAMING COMMISSION - Jaylene Wells, Gaming Commissioner**

42 **Employees – Current 2021 – 39 Total Employees as of 2-24-**
43 **2021.**

44 **13 GC Department – 1 Commissioner, 2 Deputy**
45 **Commissioners, 1 Licensing Supervisor, 1 Vendor Licensing**
46 **Agent, 1 Licensing Agent, 1 Licensing Clerk. 1 EGM Supervisor,**
47 **2 EGM Agents. Compliance Auditors, 3 Compliance Agents. 0**
48 **Receptionist – VACANT, 0 Administrative Assistant – VACANT.**
49 **22 Surveillance Department – 13 Agents – 1 vacant, 6 Leads,**
50 **2TG Lead, 1 Supervisor. 4 Technical Department – 1 Technical**
51 **Architect, 1 Systems Administrator, 1 Lead Technician, 1**
52 **Technician.**

53 **11 Tribal Members, 1 Tribal Spouse, 3 Native, 33.77% ESTOO**
54 **Tribe, 38.46% Native American.**

55 **Licensing for March 2021:**

56 **Casino Employee – Processed 91 renewals and new hires**
57 **processed, 0 denials, 1 suspension, 1 revocation. Conditional**
58 **Employee Licenses Monitored – 1, Non-Gaming Companies –**
59 **processed 26, Non-Gaming Vendor Employees – Processed 45,**
60 **Gaming Companies – Processed 5. Gaming Vendor Employees**
61 **– 29, Gaming Vendor Fees Collected - \$6000., Non-Gaming**
62 **Vendor Fees Collected - \$3050. Employee Licensing Fees**
63 **Collected - \$6700. Total Fees Collected \$15750. (YTD**
64 **\$123,505.)**

65 **EGM – March 2021**

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66 **4 new machine installs, 4 machines removed, 36 machine**
67 **software/theme conversions, 2 software updates, 4 software**
68 **replacements, 0 Gaming machine relocations, 1 server**
69 **installs/upgrades, 244 single pieces of software tested, 121**
70 **Seal Activities, Machine Fees Billed - \$1300 (YTD \$91,400)**

71 **Machine fees collected (YTD \$91,000)**

72 **Audit Observations and Reports – March 2021**

73 **Cage – 79, EGM – 91, Jackpot – 68, Players Club – 63, Table**
74 **Inventory – 34, Table Fill – 32, Table Credit – 6, Title 31**
75 **Inquiries – 6.**

76 **RFP's were sent out to 7 firms for the 2021 External Audit. 3**
77 **have responded and signed the NDA. Wipfli representative**
78 **came in person to meet with the Commissioners and share**
79 **information about their firm and ensure they were bidding on**
80 **all aspects of the audit that we desire. Moss Adams wanted us**
81 **to sign their agreement that would change jurisdiction and**
82 **open up arbitration, we declined. Bids are due back to the**
83 **Commission by April 17th. Bids will be reviewed and discussed**
84 **with Casino Management and Accounting and the Commission**
85 **will present the information to the BC on April 26th.**

86 **Surveillance for March 2021 – Policy violations noted – ISC**
87 **141/OP 17, Incident Reports written – ISC 43/OP 6, Medical**
88 **Reports Written – ISC 34/OP 4, CD Request for Tribal PD – ISC**
89 **5/OP 0.**

90 **Technical Department for March 2021 –**

91 **67 new tickets submitted, 60 tickets completed, Installed 5**
92 **Cameras at ISC, Installed 3 cameras at OP, installed POS**
93 **Monitoring in 5 departments, Repositioned 4 cameras at ISC,**
94 **Replaced batteries in UPS for Main Server Room, Updated**
95 **firmware on door controllers and POS encoders, Cleaned**
96 **cameras in Pit area and other areas of ISC, also cleaned a few**
97 **outside cameras several times due to bird droppings., Installed**
98 **printers at Surveillance and Annex.**

99 **Written reports were presented and copies given to each BC**
100 **member on the following: Trainings, Commissioner Reviews**
101 **and Updates, Equipment that has been ordered and installed,**

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102 tests that have been run on equipment, review and approval of
103 org charts, Tort Claims in process, information from James
104 Safar, State Field Agent and NIGC should have the final version
105 of the MOU for fingerprints issued out to Tribes in June 2021.
106 Updated 5 P&P's that concern CHRI. Also included was a Q & A
107 that is in relation to the draft MOU with the NIGC on
108 Fingerprinting.

109 **TREASURER REPORT – Justin Barrett, Treasurer**

110 The tribe has received over \$7 million from ARPA through CCDF
111 with \$1.8 million remaining from Cares Act thru CCDF. In
112 Tribal Cash Balances the Economic Development line item has
113 not changed. We did commit \$400,000 for the Housing Project.
114 This money will stay in Economic Development until they start
115 using it.

116 Tribal Administration and Business Committee departments
117 budgets were reviewed with Budget to Actuals. The review was
118 for YTD ending for the second quarter (March 31st). The
119 Business Committee Budget is at 34%.

120 **Quarterly Gaming Summary YTD starting at Year 21.**

121 **ISC Revenue is up \$11.6 million, Expenses are down \$3.6**
122 **million, EBIDA is up \$15.2 million.**

123 **Outpost Casino Revenue is up almost \$950K expenses down**
124 **\$647K and EBIDA is up \$1.6 million,**

125 **RESOLUTIONS**

126 **RESOLUTION NUMBER 042821R-01 Authorizing the Extension**
127 **of Farming & Grazing Lease 04012019.**

128 **NOW THEREFORE BE IT RESOLVED, that the Business**
129 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
130 **hereby authorize a (5) month extension of Farming & Grazing**
131 **Lease 04012019 between the Eastern Shawnee Tribe of**
132 **Oklahoma and Max and Sandy Drake. Upon approval the new**
133 **expiration date will be December 31, 2021.**

134 **MOTION TO APPROVE RESOLUTION NUMBER 041821R-01 made**
135 **by Treasurer Barrett with second by 1st Council Gardner.**

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136 **Motion carried: 5 approved, 0 opposed, 0 abstained.**

137 **RESOLUTION NUMBER 042821R-02 to approve the Eastern**
138 **Shawnee Tribe of Oklahoma Agricultural Leasing Act, the**
139 **Eastern Shawnee Tribe of Oklahoma Residential Leasing Act,**
140 **and the Eastern Shawnee Tribe of Oklahoma Business Leasing**
141 **Act.**

142 **NOW THEREFORE BE IT RESOLVED, that the Business**
143 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
144 **hereby approve the Eastern Shawnee Tribe of Oklahoma**
145 **Agricultural Leasing Act, the Eastern Shawnee Tribe of**
146 **Oklahoma Residential Leasing Act, and the Eastern Shawnee**
147 **Tribe of Oklahoma Business Leasing Act. (See attached Acts for**
148 **detail)**

149 **MOTION TO APPROVE RESOLUTION NUMBER 042821R-02 made**
150 **by Treasurer Barrett with second by 2nd Council Daugherty.**

151 **Motion carried: 5 approved, 0 opposed, 0 abstained.**

152 **RESOLUTION NUMBER 042821R-03 to approve the attached**
153 **Lease Agreement between the Eastern Shawnee Tribe of**
154 **Oklahoma and Empire District Electric Co. for the use of space**
155 **on and around the Water Tower on Highway 10C.**

156 **NOW THEREFORE BE IT RESOLVED, that the Business**
157 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
158 **hereby approve the attached Lease Agreement between the**
159 **Eastern Shawnee Tribe of Oklahoma and Empire District**
160 **Electric Co. for the use of space on and around the Water Tower**
161 **on Highway 10C.**

162 **MOTION TO APPROVE RESOLUTION NUMBER 042821R-03 by**
163 **Secretary Littlefield with second by 2nd Council Daugherty.**

164 **Motion carried: 5 approved, 0 opposed, 0 abstained.**

165

166 **REQUISITIONS**

167 **Purchase Request 00051832 payable to GPS for June 2021**
168 **Continuity Program in the amount of \$163,200.00.**

169 **MOTION TO APPROVE PR00051832 by Treasurer Barrett with**
170 **second by 1st Council Gardner.**

171 **Motion carried: 5 approved, 0 opposed, 0 abstained.**

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172 **Purchase Request 00051833 payable to GPS for July 2021**
173 **Continuity Program in the amount of \$171,840.00.**
174 **MOTION TO APPROVE PR00051833 made by 1st Council**
175 **Gardner with second by 3rd Council Kraus.**
176 **Motion carried: 5 approved, 0 opposed, 0 abstained.**
177 **PURCHASE REQUEST 00051835 payable to GPS in the amount**
178 **of \$163,200.00 for August 2021 Continuity Program.**
179 **MOTION TO APPROVE PR00051835 made by Secretary**
180 **Littlefield with second by Treasurer Barrett.**
181 **Motion carried: 5 approved, 0 opposed, 0 abstained.**
182 **PURCHASE REQUEST 00051981 payable to Presidio in the**
183 **amount of \$148,018.94 for CISCO Security Renewal 3- year**
184 **plan.**
185 **MOTION TO APPROVE PR00051981 made by 3rd Council Kraus**
186 **with second by 2nd Council Daugherty.**
187 **Motion carried: 5 approved, 0 opposed, 0 abstained.**
188 **PURCHASE REQUEST 00051987 PAYABLE TO PINNACLE in the**
189 **amount of \$69,603.39.**
190 **MOTION TO APPROVE PR00051981 by Treasurer Barrett with**
191 **second by 2nd Council Daugherty.**
192 **Motion carried: 5 approved, 0 opposed, 0 abstained.**
193
194 **NEW BUSINESS**
195 **The Pow Wow Committee presented a list of items that are**
196 **needed for the Cook Shack for the Pow Wow totaling \$1937.98**
197 **for the Business Committee to Review. Also presented was a**
198 **Policy and Procedure request to be reviewed for approval. This**
199 **is a policy the Pow Wow Committee has been working on to**
200 **secure their belongings.**
201
202 **Oklahoma Native Impact Study – A MOU was provided to each**
203 **BC member for review. The purpose of this study was**
204 **explained by Chief Wallace. We gave permission last year to**
205 **participate in this study. The purpose of this project is to**
206 **demonstrate how much economic impact the Oklahoma tribal**
207 **activities have within the state of Oklahoma. This is a request**
208 **for us to provide information from the current year as we**
209 **provided information last year. All information provided to this**
210 **study is kept confidential.**
211 **MOTION TO APPROVE MOU for the 2021 All-Tribe Economic**
212 **Impact Study made by 1st Council Gardner with second by**
213 **Treasurer Barrett.**
214 **Motion carried: 5 approved, 0 abstained, 0 opposed.**

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OLD BUSINESS

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Tina Waggoner presented a recap of the information and requests that she presented at the Business Committee Meeting on 4-14-2021. A request for electronic access to our

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Resolutions and laws be made available for tribal members.

219

Referenced the Indian Freedom of Education Act to be

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researched by the Business Committee. Agreement was

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reached for this request to be placed on the Working Meeting

222

Agenda. Gratitude was expressed for action taken for her son.

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MOTION to add items discussed at the Business Committee Work Meeting today to this Agenda made by 2nd Council

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Daugherty with second by 1st Council Gardner.

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

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MOTION TO APPROVE General Managers Bonus as discussed made by 1st Council Gardner with second by 2nd Council

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Daugherty.

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Motion carried: 4 approved, (Gardner, Daugherty, Barrett, Littlefield), 0 opposed, 1 abstained (Kraus).

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MOTION TO APPROVE Tribal Administration Bonuses as discussed made by 2nd Council Daugherty with second by 1st

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Council Gardner.

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

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MOTION TO DIRECT the Gaming Operations to transfer an additional \$2 million dollars to the Tribe made by Treasurer

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Barrett with second by Secretary Littlefield.

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

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MOTION TO DIRECT the Tribal Administrative

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Accounting Department to commit the \$2 million dollar

249

Transfer from the Casino to the Eastern Shawnee Housing

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Authority for the construction project to build 12 Homes made

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by 1st Council Gardner with second by 3rd Council Kraus.

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

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MOTION to go into Closed Session at 6:29 p.m. following a ten-minute break made by Treasurer Barrett with second by 1st

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Council Gardner.

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

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CLOSED SESSION

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MOTION to return to Open Session at 8:37 p.m. by Treasurer Barrett with second by 2nd Council Daugherty.

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

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OPEN SESSION

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MOTION TO AUTHORIZE Travel to NIGA made by 2nd Council Daugherty with second by 1st Council Gardner.

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

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MOTION TO ADJOURN at 8:39 P.M. made by 2nd Council Daugherty with second by Treasurer Barrett.

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Motion carried: 5 approved, 0 opposed, 0 abstained,

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ADJOURN

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~~Debbie Littlefield, Secretary~~

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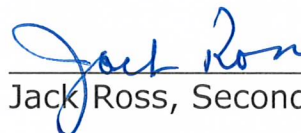
Justin Barrett, Treasurer

288

5-12-21

289

Date



Jack Ross, Second Chief

5-12-21

Date