

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1
2 **DATE: Wednesday, January 27th, 2021**

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

4 **LOCATION: BlueJacket Building**

5 **INVOCATION: Chief Glenna Wallace**

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

7 The Business Committee Meeting was called to order at 5:32 p.m. with
8 the following answering roll call: 1st Council Gardner, 2nd Council
9 Daugherty, 3rd Council Kraus, Treasurer Barrett and Secretary
10 Littlefield. Second Chief Ross and Chief Wallace were present.
11 Declaration of Quorum by Second Chief Ross.

12
13 NEW ENROLLEES – Chief Wallace presented the following:

14 Liam Bradford Quillen – (DOB: 11/18/2020)

15 **Motion to approve new enrollees made by Treasurer Barrett**
16 **with second by 2nd Council Daugherty.**

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

18
19 **MINUTES**

20 **Motion to approve Minutes of the January 13th, 2021 Business**
21 **Committee Meeting made by 3rd Council Kraus with second by**
22 **1st Council Gardner.**

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

24
25 **MOTION TO TAKE AGENDA OUT OF ORDER made by Treasurer**
26 **Barrett with second by Secretary Littlefield at 5:36 P.M.**

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

28
29 **Presentation by Dalton Lane requesting permission to put two**
30 **ten- foot UHF Antennas on top of the water tower by Outpost**
31 **Casino. This equipment would be used by an electric company**
32 **for their line workers. An explanation was provided as to how**
33 **the antenna would be mounted to the water tower. Handouts**
34 **were provided to the Business Committee. Bruce Short**
35 **representing Liberty Utilities was present to answer questions**
36 **and provide information. Information to be provided to In**
37 **House Counsel for her to review and present her findings to the**
38 **Business Committee.**

39
40 **MOTION TO RETURN TO THE REGULAR BUSINESS COMMITTEE**
41 **AGENDA made by Treasurer Barrett with second by 1st Council**
42 **Gardner at 5:49 P..**

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

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REPORTS

Casino Report – Melanie Heskitt, General Manager

Month to previous month – Indigo Sky Casino – Revenue down 0.5%, Expenses up 3%. Outpost Casino – Revenue down 5.2%, Expenses up 3.8%.

Comparison Dec. 2020 to Dec. 2019 – Indigo Sky Casino Revenue up 3.8%, Expenses down 16.9%, EBIDA 92%. Outpost Casino – Revenue down 12.9%, Expenses down 26.9%, EBIDA up 14%.

Year to date – Revenue Totals FY21 Indigo Sky Revenue up 13.5%, Expenses down 13.5%, EBIDA up 132%. Outpost Casino Revenue up 1.7%, Expenses down 21%, EBIDA up 45%. February 5th, 2021 Outpost Casino will be open 24-7 on Friday and Saturday nights opening at 10:00 A.M. on Friday morning and will not close until 2:00 A.M. on Monday morning.

GAMING COMMISSION REPORT – Jalene Wells, Gaming Commissioner.

Employees – Current 2021 – 39 Total Employees as of 1-27-21. 13 GC Department -1 Commissioner, 2 Deputy Commissioners, 1 Licensing Supervisor (1 Vendor Licensing Agent, 1 Employee Licensing Agent, 1 Licensing Clerk). 1 EGM Supervisor, 2 EGM Agents, Compliance Auditors – 3 Compliance Agents, 0 Receptionist (1 vacant), 0 Administrative Assistant (vacant). 22 Surveillance Department – 13 Agents – 1 Vacant, 6 Leads, 2 TG Lead, 1 Supervisor. 4 Technical Department – 1 Technical Architect, 1 Systems Administrator, 1 Lead Technician, 1

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72 **Technician. There are 11 Tribal Members, 1 Tribal Spouse,**
73 **3 Native 30.77% ESTOO Tribe, 38.46% Native American.**
74 **Licensing for December 2020 – Casino Employee –**
75 **Processed 53 Renewals and New Hires processed (0**
76 **Denials, 0 Suspensions, 0 Renovations), Conditional**
77 **Employee Licenses Monitored – 2, Non-Gaming Companies**
78 **– processed 8, Non-Gaming Vendor Employees – Processed**
79 **27, Gaming Companies – Processed 2, Gaming Vendor**
80 **Employees – 22, Gaming Vendor Fees Collected - \$7250,**
81 **Non-Gaming Vendor Fees Collected - \$1250, Employee**
82 **Licensing Fees Collected - \$7050, Total Fees Collected**
83 **\$15050 (YTD \$62755.**
84 **EGM – December 2020- 14 New Machine installs, 16**
85 **Machines removed, 4 Machine Software/Theme**
86 **Conversions, 116 Software Updates, 4 Software**
87 **Replacements, 0 Gaming Machine relocations, 0 Server**
88 **Installs/Upgrades, 0 Server Installs/Upgrades, 135 Single**
89 **pieces of software tested, 84 Seal Activities, Machine Fees**
90 **Billed - \$1175 (YTD \$3575), Machine Fees Collected - \$600**
91 **(YTD 1950).**
92 **Audit Observations and Reports – December 2020 –**
93 **Cage – 135, EGM-89, Jackpot – 113, Players Club – 120,**
94 **Table Inventory – 66, Table Fill – 29, Table Credit – 0, Title**
95 **31 Inquiries – 9.**
96 **Surveillance for December 2020- Policy Violations Noted:**
97 **ISC/OP 18, Incident Reports written: ISC 103/OP 10,**
98 **Medical Reports Written: ISC 36/OP 2, CD Request for**
99 **Tribal PD: 11 (ISC 11/OP 0).**

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100 **Technical Department December 2020 – 51 New tickets**
101 **submitted, 54 Tickets completed, Scheduled leave had us**
102 **down one team member for the month. Completed the**
103 **install of cameras and doors at ECLC. This took longer than**
104 **projected due to complications with the actual doors and**
105 **ability to get through areas with the wiring.**

106 **Commissioner Reviews: January promotions for ISC and**
107 **Outpost reviewed and approved. 2 updated promos**
108 **reviewed and approved.**

109 **145 Job Descriptions were reviewed and approved.**

110 **Sent letter to BC via email on Jan. 13, 2021 regarding the**
111 **possible confusion or rumors on the role of the GC in reviewing**
112 **and approving org charts and JD's. It is regulatory in nature**
113 **only, and to ensure no conflicts in segregation of duties and**
114 **reporting lines. New org charts and updated JD's were**
115 **submitted on 1/15/21, gave casino option to withdraw and**
116 **resubmit due to the changes affection several JD's that were not**
117 **in submission. They are to be resubmitted next week. Casino**
118 **AGM and Safety Manager and Commissioner went through all**
119 **previous files for possible Tort Claims.**

120 **Currently have 5 Tort Claims in process. Updates and filings**
121 **have been copied to in-house Counsel and the last email update**
122 **is attached for the BC. Two depositions scheduled, 1 hearing**
123 **scheduled, 1 settlement filed and 1 Tort is pending dismissal for**
124 **failure to appear to Deposition.**

125 **New Prize and Tort Claim regulations were prepared, but**
126 **Commission is making some more changes to add more clarity**
127 **and provide the Casino and Insurance time to review and**
128 **process.**

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

130 **Treasurer Barrett reports that he pulled random budgets to**
131 **review. The Business Committee budget is looking like**
132 **everything is coming in as it should be but do not know what**
133 **legal fees will be at this time. Shawnee Skies has a profit this**
134 **quarter -budget is 27%, expenditures at 25% and merchandise**
135 **sales are about to exceed budgeted projections for the year.**
136 **Health and Social Services is on track for the quarter. There is a**
137 **potential nine day lag in Social Services. Tribal Police – of**
138 **concern was the Community Policing line item because it is near**
139 **50% and we are just starting the second quarter. May possibly**
140 **go over budget on that line item. Chief Wallace will check into a**
141 **question concerning a line item in her budget. Gaming**
142 **Commission and Surveillance are extremely under budget for**
143 **payroll. There have already been nine pay periods in this year**
144 **on the 26th and if Gaming stays on budget they are going to come**
145 **in under budget for payroll by \$290,000 and Surveillance will**
146 **come in under budget by \$666,000. For Indigo Sky Casino**
147 **financials were pulled since FY17. For this year Indigo Sky**
148 **revenues have exceeded all prior years. Expenses were lower**
149 **than all previous years except FY17. EBIDA has exceeded all**
150 **prior years and EBIDA has doubled for the quarter. FY21/FY20**
151 **Indigo Sky Coin in has exceeded all prior years, Net win has**
152 **exceeded all prior years and payroll expenses are lower than all**
153 **prior years for Indigo. Outpost revenues were consistent for all**
154 **prior years, expenses were down to all prior years, EBIDA was**
155 **up, coin in was average. FY17 to FY 21 for the quarter machine**
156 **net win was down to all prior years and payroll was also down**

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157 **to all prior years. Indigo Sky is doing extremely well for the**
158 **first quarter.**

159

160 **RESOLUTIONS**

161 **RESOLUTION NUMBER 012721-R-01 to approve the Eastern**
162 **Shawnee Tribe Home Improvement Program Policies and**
163 **Procedures.**

164 **NOW THEREFORE BE IT RESOLVED, that the Business**
165 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
166 **hereby approve the attached Eastern Shawnee Tribe Home**
167 **Improvement Program Policies and Procedures.**

168 **MOTION TO APPROVE RESOLUTION NUMBER 012721-R-01**
169 **made by 2nd Council Daugherty with second by Treasurer**
170 **Barrett.**

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

172 **RESOLUTION NUMBER 012721-R-02 to approve the Eastern**
173 **Shawnee Tribe Tribal Hardship Assistance Program Policies and**
174 **procedures.**

175 **NOW THEREFORE BE IT RESOLVED, that the Business**
176 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
177 **hereby approve the attached Eastern Shawnee Tribe Tribal**
178 **Hardship Assistance Program Policies and Procedures.**

179 **MOTION TO APPROVE RESOLUTION NUMBER 012721-R-02 with**
180 **changes discussed made by Treasurer Barrett with second by**
181 **2nd Council Daugherty.**

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

183 **MOTION TO ADD RESOLUTION NUMBER 012721-R-03 to the**
184 **Agenda made by 2nd Council Daugherty with second by 1st**
185 **Council Gardner.**

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

187 **RESOLUTION NUMBER 012721-R-03 approving 2021 National**
188 **Indian Gaming Association (NIGA) membership Renewal and**
189 **Appointment of Delegates.**

190 **NOW THEREFORE BE IT RESOLVED, that the Business**
191 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
192 **desire to renew 2021 National Indian Gaming Association**
193 **Tribal Membership and appoint Glenna J. Wallace, Chief as**
194 **Delegate with Justin Barrett, Treasurer as Alternate Delegate.**

195 **MOTION TO APPROVE RESOLUTION NUMBER 012721-R-03**
196 **made by 2nd Council Daugherty with second by 1st Council**
197 **Gardner.**

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

199

200 **REQUISITIONS**

201 **Requisition En-74218 payable to Pelivan Transit/Grand**
202 **Gateway E.D.A. for Inv. 691 November 2020 in the amount of**
203 **\$31,874.46.**

204 **MOTION to approve Requisition EN-74218 made by 2nd Council**
205 **Daugherty with second by Treasurer Barrett.**

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

207

208 **NEW BUSINESS**

209 **Chief Wallace presented Grant Information and provided**
210 **printed, detailed timeline of Emergency Grants to address**
211 **Mental and Substance Use Disorders During COVID-19 to the**
212 **Business Committee addressing questions presented at the**
213 **January 13, 2021 Business Committee Meeting.**

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214 Tribal Member wishing to address BC in re: Housing Authority
215 was unable to attend the meeting.

216

217 **OLD BUSINESS**

218 Chief Wallace presented her VETO of Resolution Number
219 011321R-02 Resolution to amend the Eastern Shawnee Tribe of
220 Oklahoma Casino Team Member Handbook with a written letter
221 presenting her reasons for the VETO.

222

223 Question to override the VETO presented by Second Chief Ross
224 with a call for a vote.

225 5 approved, 0 opposed, 0 abstained.

226 VETO overturned.

227

228 MOTION to go into Closed Session following a ten-minute break
229 made at 7:56 p.m. by Treasurer Barrett with a second by 1st
230 Council Gardner.

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

232

233 MOTION to return to Open Session at 8:58 p.m. by Treasurer
234 Barrett with second by 2nd Council Daugherty.

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

236

237 MOTION TO APPROVE Casino pay schedules as presented by
238 the General Manager with approval of the Business Committee
239 by Treasurer Barrett with second by 1st Council Gardner.

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

242

243 MOTION TO ADJOURN at 8:59 P.M. by 2nd Council Daugherty
244 with second by Treasurer Barrett.

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

246

247 **ADJOURN**

248

249 
250 _____
251 Debbie Littlefield, Secretary

252

253 03/10/21
254 Date



Jack Ross, Second Chief

3-10-21
Date