

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

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DATE: Wednesday, May 26th, 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 5:42 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 –

Rynlee Brie King Barrett, DOB: 02/21/2021
Avianna Braelyn Turner, DOB: 12/01/2020
MOTION TO APPROVE NEW ENROLLEES MADE BY 2nd Council Daugherty with second by 3rd Council Kraus.
Motion carried: 4 approved, (Gardner, Daugherty, Kraus and Littlefield), 0 opposed, 1 abstained (Barrett).

MINUTES

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

MOTION to take the agenda out of order made by 1st Council Gardner with second by 2nd Council Daugherty.

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

Sherry Hamby and Ben Bingham made a presentation in honor of their father and grandfather Thomas F. Ross. Sherry and her brother Lance Ross, who was unable to be present, gifted Shawn King, Ceremonial King a horse “Jazz” to honor the legacy of their father. The family also plans to present a cow a year from their father’s herd to feed tribal elders, tribal people in need as well as the Ceremonial Chief’s family. Thomas F. Ross served our tribe as a former Second Chief. These gifts by the family will serve as a Living Legacy to their father.

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39 **MOTION to return to the regular agenda made by 2nd Council**
40 **Daugherty with second by Treasurer Barrett.**

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

42 **REPORTS**

43 **CASINO – Melanie Heskitt, General Manager**

44 **Month of April – Month/Previous Month – ISC – Total Revenue**
45 **down 2.8%. Outpost Total Revenue down 9.5%.**

46 **Comparison Month/Month a year ago – ISC – Revenue up**
47 **227%, Expenses up 774%. Outpost Revenue up 60.5%,**
48 **Expenses up 197%.**

49 **Year to Date – ISC – Revenue up 54%, Expenses up 1.4%,**
50 **EBIDA up 462.60%. Outpost – Revenue up 46%, Expenses**
51 **down 8%, EBIDA up 176.4%.**

52 **Reports REC experienced a problem that caused both casinos**
53 **electric service to be out for a few hours today. Indigo Sky’s**
54 **service came back up at 4:00 p.m. and Outpost at 6:00 p.m.**
55 **Machines did not lose service. Areas affected were food venues**
56 **and back of house computers.**

57

58 **GAMING COMMISSION – Jalene Wells, Gaming Commissioner**

59 **Employees – Current 2021 – 37 Total Employees as of 5-26-**
60 **2021. 12 GC Department – 1 Commissioner, 2 Deputy**
61 **Commissioners, 1 Licensing Supervisor – 1 Vendor Licensing**
62 **Agent, 1 Employee Licensing Agent, 1 Licensing Clerk. 1 EGM**
63 **Supervisor o- 1 EGM Agent (1 Vacant will not replace at this**
64 **time). 1 Compliance Auditor – 3 Agents. 0 Receptionist –**
65 **VACANT, 0 Administrative Assistant – VACANT. 21 Surveillance**
66 **Department – 12 Agents – 2 Vacant (not replacing at this time**
67 **– made new schedule), 6 Leads, 2 TG Lead, 1 Supervisor. 4**
68 **Technical Department – 1 Technical Architect, 1 Systems**
69 **Administrator, 1 Lead Technician, 1 Technician. 10 Tribal**
70 **Members, 1 Tribal Spouse, 3 Native, 291.73% ESTOO Tribe,**
71 **37.83% Native American.**

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72 **Licensing for April 2021 – Casino Employee – Processed 96**
73 **Renewals and New Hires processed – 0 Denials, 0 Suspensions,**
74 **0 Revocations. Conditional Employee Licenses Monitored – 1.**
75 **Non-Gaming Companies – processed 12. Non-Gaming Vendor**
76 **Employees – Processed 38, Gaming Companies – Processed 1.**
77 **Gaming Vendor Employees – 20, Gaming Vendor Fees Collected**
78 **- \$5,000. Non-Gaming Vendor Fees Collected - \$1575.**
79 **Employee Licensing Fees Collected - \$6450. Total Fees**
80 **Collected - \$13025 (YTD \$136,530).**

81 **EGM – April 2021 – 4 New machine installs, 6 Machines**
82 **Removed, 4 Machine Software/Theme Conversions, 51**
83 **Software Upgrades, 1 Software Replacement, 1 Gaming**
84 **Machine relocations, 0 Server Installs/Upgrades, 58 Single**
85 **pieces of software tested, 135 Seal Activities, Machine Fees**
86 **Billed - \$1375 (YTD \$92,775). Machine Fees Collected - \$1350**
87 **(YTD 92,625).**

88 **Audit Observations and Reports – April 2021 – Cage – 86, EGM**
89 **– 46, Jackpot – 60, Players Club – 67, Table Inventory – 38,**
90 **Table Fill – 22, Table Credit – 3, Title 31 Inquiries – 6.**

91 **SURVEILLANCE FOR APRIL,2021 – System down and could not**
92 **retrieve information – will provide in next report.**

93 **Technical Department March 2021 – 128 New tickets**
94 **submitted, 119 Tickets completed, 12 Camera installs or**
95 **modifications, Repositioned 4 cameras at ISC. Updated**
96 **firmware on v2000 door controllers and 350+ cameras.**
97 **Cleaned Cash area Cameras. Installed printers at Surveillance**
98 **and Annex.**

99 **The Tech Department and Casino Maintenance have continued**
100 **to perform troubleshooting and running tests on Parking Lot**
101 **poles to see about the grounding and a possible solution.**

102 **Some of our Fisheye cameras are starting to go out due to age.**
103 **These are either being replaced with still cameras or removed**
104 **due to sufficient coverage.**

105 **Met with David to plan for the Red Barn Project.**

106 **Mapped areas in ISC with the cameras.**

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107 **Training – Ashley and Kecia – May 5, 2021- NTGCR Policy and**
108 **Procedures/Personal Identifiable Information webinar.**

109 **May 19, 2021 - Criminal History Record Information Training**
110 **Roundtable.**

111 **Ashley, Amber, Kecia and Angelia – May 11-12, 2021 -5th**
112 **Annual TGPN Women in Gaming Symposium.**

113 **Ashley Burnside has been elected as the Chairman of OTGRA.**

114 **Information was presented on the upcoming Tradeshow and**
115 **information on costs of sponsorships to OIGA. The cost of the**
116 **sponsorship will be paid by the Casino and Gaming costing each**
117 **\$5,000.**

118 **Three bid proposals were presented for the external audits.**
119 **RSM was the company chosen at a cost of \$106,500.**

120 **TREASURER REPORT – Justin Barrett, Business Committee**
121 **Treasurer**

122 **The following information was included in the Treasurer’s**
123 **report to the Business Committee:**

124 **Business Committee Donations – \$26,000 remaining on the**
125 **donation line item.**

126 **Cash Balance Sheet – ARPA funds have been received**
127 **increasing the account balance in People’s Bank by \$18 million.**

128 **Committed Funds – Federal Grants – 4.8 million, ARPA**
129 **Funding – 18.6 million, Education Funds – 1.2 million, Social**
130 **Services/Education – 15.6 million and other committed 6.4**
131 **million. Budget carryovers remaining from previous years –**
132 **2.1 million. The museum is 1.1 million. Woodlands - \$109,000.**
133 **Maintenance is \$500,000. \$400,000 has been committed for**
134 **the Housing Authority. Grants received in advance - \$133,000.**
135 **Tribal Administration has not received the additional transfer**
136 **from the Casino so that will not be reflected on this report.**
137 **The Casino report has been given by Melanie Heskitt, General**
138 **Manager.**

139

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141 **Tribal Accounting:**

142 **American Rescue Plan Act money has been received. The tribe**
143 **received \$18,609,975.43. This was based on the first \$1 billion**
144 **dollars divided equally among all the tribes and the rest is**
145 **based on enrollment. 65% of ARPA funding is based on**
146 **enrollment. 35% will be based on employee count for all tribal**
147 **entities. The funding will arrive in June.**

148 **RESOLUTIONS**

149 **RESOLUTION NUMBER 052621-R-01 to Amend the Eastern**
150 **Shawnee Tribe of Oklahoma Election Ordinance.**

151 **NOW THEREFORE, BE IT RESOLVED, that the Business**
152 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
153 **wish to approve the amended Eastern Shawnee Tribe of**
154 **Oklahoma Election Ordinance "attached" with an effective date**
155 **of May 26, 2021.**

156 **MOTION TO APPROVE RESOLUTION NUMBER 052621-R-01**
157 **made by Treasurer Barrett with second by 2nd Council**
158 **Daugherty.**

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

160 **RESOLUTION NUMBER 0512621-R-02 – Transfer of Casino**
161 **Reserves to the Tribe.**

162 **THEREFORE, BE IT RESOLVED that the Business Committee of**
163 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
164 **transfer \$5,000,000 of Casino Reserves to the Tribe.**

165 **BE IT FURTHER RESOLVED that the Business Committee of the**
166 **Eastern Shawnee Tribe of Oklahoma does hereby wish to**
167 **commit 1 million dollars to land, 1 million dollars to Economic**
168 **Development and 3 million dollars to Social Services and**
169 **Education.**

170 **MOTION TO APPROVE RESOLUTION NUMBER 052621-R-02**
171 **made by 2nd Council Daugherty with second by 3rd Council**
172 **Kraus.**

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

174 **RESOLUTION NUMBER 052621-R-03 for Acceptance of Grant**
175 **Awards.**

176 **THEREFORE, BE IT RESOLVED** that the Business Committee of
177 **the Eastern Shawnee Tribe of Oklahoma** does hereby wish to
178 **formally accept all grant awards. Going forward the Business**
179 **Committee will consider and approve all grant acceptances via**
180 **Resolution prior to manual, electronic, or digital signature of**
181 **acceptance is applied to any documents.**

182 **MOTION TO APPROVE RESOLUTION 052621R-03** made by 1st
183 **Council Gardner with second by Secretary Littlefield.**

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

185 **RESOLUTION NUMBER 052621- R-04 Approving the Articles of**
186 **Organization of Native 2 Native Construction, LLC.**

187 **NOW THEREFORE BE IT RESOLVED** that the Business
188 **Committee of the Eastern Shawnee Tribe of Oklahoma** does
189 **hereby approve the attached Articles of Organization of Native**
190 **2 Native Construction, LLC.**

191 **MOTION TO APPROVE RESOLUTION NUMBER 052621-R-04** as
192 **corrected made by Treasurer Barrett with second by 2nd Council**
193 **Daugherty.**

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

195 **RESOLUTION NUMBER 052621-R-05 Request for Secretarial**
196 **Election to Amend the Constitution of the Eastern Shawnee**
197 **Tribe of Oklahoma.**

198 **NOW THEREFORE BE IT RESOLVED** that the Business
199 **Committee of the Eastern Shawnee Tribe of Oklahoma** does
200 **hereby request the Secretary of the Interior to call a**
201 **Secretarial Election to present the attached amended**
202 **Constitution of the Eastern Shawnee Tribe of Oklahoma to the**
203 **General Council for a vote, in accordance with Article XIX of the**
204 **Constitution and 25 C.F.R. Part 81.**

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205 **MOTION TO APPROVE RESOLUTION NUMBER 052621-R-05**
206 **made by Treasurer Barrett with second by 2nd Council**
207 **Daugherty.**

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

209 **MOTION TO ADD TWO RESOLUTIONS 052621-R-06 AND**
210 **052621-R-07 to the agenda made by 2nd Council Daugherty**
211 **with second by 1st Council Gardner.**

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

213 **RESOLUTION NUMBER 052621-R-06 Allocating American**
214 **Rescue Act Plan Funding for Welfare Assistance.**

215 **THEREFORE, BE IT RESOLVED that the Business Committee of**
216 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
217 **allocate \$9,250,000.00 of the American Rescue Plan Act**
218 **Funding for a Welfare Assistance Program for Eastern Shawnee**
219 **Tribal Members.**

220 **BE IT FURTHER RESOLVED, that the Business Committee of the**
221 **Eastern Shawnee Tribe of Oklahoma does hereby wish to assist**
222 **Eastern Shawnee Tribal Members enrolled before September**
223 **11, 2021 with \$2,500 per tribal member who has been**
224 **impacted by COVID-19 once a Need for Assistance Application**
225 **has been processed in accordance with Ordinance 070820-01**
226 **General Welfare Program Ordinance.**

227 **MOTION TO APPROVE RESOLUTION 052621-R-06 made by 2nd**
228 **Council Daugherty with second by Treasurer Barrett.**

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

230 **RESOLUTION NUMBER 052621-R-07 Allocating American**
231 **Rescue Plan Act Funding for Housing.**

232 **THEREFORE, BE IT RESOLVED that the Business Committee of**
233 **the Eastern Shawnee Tribe of Oklahoma does hereby wish to**
234 **allocate \$2,500,000.00 of the American Rescue Plan Act**
235 **funding for the housing development and infrastructure**
236 **projects at the Eastern Shawnee Housing Authority.**

237 **BE IT FURTHER RESOLVED that the Business Committee of the**
238 **Eastern Shawnee Tribe of Oklahoma does hereby direct the**

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239 **Eastern Shawnee Housing Authority and the Tribal**
240 **Administration Accounting Department to use ARPA funding**
241 **prior to tribal funds. All previously committed funds will**
242 **remain committed for further projects.**

243 **BE IT FINALLY RESOLVED that the funds shall be held by the**
244 **Tribe and committed to the housing project. The funds will be**
245 **drawn down as needed for the construction of homes and**
246 **infrastructure with pre-approval by the Business Committee**
247 **check write approvers.**

248 **MOTION TO APPROVE RESOLUTION 052621-R-07 made by 1st**
249 **Council Gardner with second by Treasurer Barrett.**

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

251

252 **REQUISITIONS**

253 **Requisition EN-76724 payable to Arthur J. Gallagher & Co. in**
254 **the amount of \$47,021.00 for WC Invoice 3844239 1 of 4.**

255 **MOTION TO APPROVE REQUISITION EN-76724 made by**
256 **Secretary Littlefield with second by 1st Council Gardner.**

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

258

259 **NEW BUSINESS**

260 **Bryce Washington presented information concerning the next**
261 **Competitive Indian Community Development Grant that is**
262 **getting ready to come out. He states that the word is that this**
263 **grant will go to the Tribe that is ready to go. He requested the**
264 **use of the Oliver and Cook properties as they already have**
265 **water and sewer systems. Chief Wallace suggested the use of**
266 **the Oliver property (a 24-acre lot). The BC were all in**
267 **agreement and agreed to place this request on the next agenda**
268 **for approval.**

269 **The Housing Authority Board also requested the use of BIA**
270 **road money to help build roads where the 12 proposed houses**
271 **are going to be built. Chief Wallace suggested finishing 110**
272 **Rd. first since it is already in the BIA road inventory and then**
273 **requesting building the roads in the project with the ARPA**
274 **money.**

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275 **The Housing Authority is also looking at grants that could pay**
276 **for playground equipment for the Housing addition.**

277

278 **MOTION TO ADD two items to the agenda made by Treasurer**
279 **Barrett with second by Secretary Littlefield.**

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

281

282 **MOTION to offer \$1 million dollars plus closing and contract**
283 **costs for land as discussed made by Treasurer Barrett with**
284 **second by 2nd Council Daugherty.**

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

286

287 **MOTION TO AMEND the previous motion to authorize Chief**
288 **Wallace to offer \$1 million dollars plus closing and contract**
289 **costs for land as discussed made by Treasurer Barrett with**
290 **second by 2nd Council Daugherty.**

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

292

293 **OLD BUSINESS**

294 **1st Council Gardner provided an update concerning the work**
295 **that IT and the Business Committee have been working on per**
296 **tribal member requests in regard to access to tribal records.**
297 **Hopefully in the next two weeks the posting of the Shooting**
298 **Star, the Minutes of the BC Meetings, updating the Directory**
299 **and posting the Resolutions after they have gone through legal**
300 **and any confidential information has been redacted will be**
301 **available on the Tribe's website.**

302

303 **MOTION to go into Closed Session at 6:58 p.m. following a ten-**
304 **minute break made by Treasurer Barrett with second by 1st**
305 **Council Gardner.**

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

307

308 **CLOSED SESSION**

309

310 **MOTION to return to Open Session at 7:45 p.m. made by 3rd**
311 **Council Kraus with second by 1st Council Gardner.**

312 **Motion carried: 5 approve, 0 opposed, 0 abstained.**

313

314 **OPEN SESSION**

315

316 **MOTION TO APPROVE the Hardship Case as discussed made by**
317 **2nd Council Daugherty with second by Treasurer Barrett.**

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

320

321 **MOTION to move the second Business Committee Meeting to**
322 **June 30th 2021 made by 2nd Council Daugherty with second by**
323 **1st Council Gardner.**

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

325

326 **MOTION TO ADJOURN at 7:47 p.m. made by 2nd Council**
327 **Daugherty with second by 3rd Council Kraus.**

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

329

330 **ADJOURN**

331

332

333


334

335

336 
337 Debbie Littlefield, Secretary

338

339 060921
340 Date


Jack Ross, Second Chief
Justin Barrett, Treasurer

06/09/21
Date