

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1
2 **DATE: June 10, 2020**

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

4 **LOCATION: BlueJacket Building**

5 **INVOCATION: Chief Glenna Wallace**

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

8 The Business Committee Meeting was called to order at 5:35 P.M. with
9 the following answering roll call: 1st Council Gardner, 2nd Council
10 Daugherty, Treasurer Barnes, Secretary Littlefield.
11 2nd Chief Ross and Chief Wallace were also in attendance. 3rd Council
12 Stovall arrived at 5:45 P.M.

13
14 **NEW ENROLLEES – Presented by Chief Glenna Wallace**

15 **Applicant presented for consideration:**

16 **Elizabeth Marie Baker (DOB: 04/12/2020)**

17 **Jack Joseph Throgmorton (DOB: 10/05/2018)**

18 **MOTION TO APPROVE applicant by 2nd Council Daugherty with**
19 **second by 1st Council Gardner.**

20 **Motion carried: 4, approved, 0 opposed, 1 absent**

21
22 **MINUTES**

23 **MOTION to approve minutes of May 27, 2020 meeting made by**
24 **1st Council Gardner and second by 2nd Council Daugherty.**

25 **Motion carried: 5 approved, 0 opposed.**

26
27 **REPORTS**

28 **Chief:**

29 **Thank You: Received thank you note from Robert and Cheryl**
30 **Hensley for home improvement work done on their home in**
31 **March.**

32 **Donation Requests: None Presented**

33 **Director Reports: AOA continues to serve box lunches available**
34 **by drive through only. Meals served was 106 for lowest**
35 **number up to 157 during May. They usually run from 110 to**
36 **120. No definite date has been decided to restart. They have a**
37 **Friday afternoon Virtual Organizational meeting with other**
38 **area programs. Would like to open at the same time the other**
39 **programs in the area restart.**

40 **Benefits: Have been doing great and account had been**
41 **growing but COVID has affected everything. Health Plan has**
42 **not been audited since 2007 because they were told they do**
43 **not need to be because they are a tribal entity. Now being told**

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44 they will need to be audited each year and may have to go back
45 5 years. This is a work in progress and a final decision has not
46 been reached at this time. The Retirement Fund is \$5,025,786.
47 CCDF: The Director has been working remotely. This employee
48 has been on furlough and that employee did not return after
49 furlough. They are now advertising for a new employee in that
50 department. There are 168 Children being served with CCDF
51 Grant Funds and 36 of those attend our Learning Center. We
52 contract with 56 different daycares making this a complex
53 program that does a lot of good and serves a lot of people.
54 Education: Undergraduates – 15, Graduates, Graduate tuitions
55 – 5, Junior-Senior Benefit Requests – 3, Purchased 1 computer,
56 Awarded 5 Graduate Grade Incentives. Paid 5 Graduate Grade
57 tuitions so they must maintain an excellent grade point
58 average to remain in the program. 7 of 15 Undergraduates
59 received incentive awards. Grade 6-12 -4 incentive awards, 6-
60 12 – Graduation Awards. Since many have not had graduation
61 ceremonies this may not be totally accurate as the numbers
62 may not have been reported yet. No Graduation Ceremonies
63 were attended. Vocational Tuition Funds awarded – 3. Total
64 Funds for Education in the month of May - \$66,931.45. During
65 this time, they also processed Hardships, Housing Applications
66 – 2. TSSD (Temporary Social Security Disability) this is for
67 people who have filed but have not received a definite
68 determination. This is \$200.00 a month. 2 down payment
69 assistance for tribal citizens who are purchasing a home for the
70 first time. In those funds they used \$17,269 for the month.
71 Environmental Department – Few activities but a lot of virtual
72 meetings and conference calls. Recycling has resumed. They
73 are not coming into the building so the recycled items have to
74 be placed outside.
75 Haven – Due to length of time for this pandemic there is lots of
76 violence being dealt with. This is difficult to deal with for
77 employees, seeing and hearing what clients are dealing with
78 during this time. Buildings have not been opened but they
79 have been providing advocacy. 24 crisis calls, 26 open cases.
80 Have financially assisted clients 32 times. Have provided
81 advocacy 139 times in this one month. Provided court lawyer
82 advocacy as needed. Also provided written information for a
83 new grant they are applying for.
84 Human Resources: 186 Employees, 97 are Native American
85 and 99 are Non-Native. 94 Employees are furloughed in the
86 month of May. Working with phased plan of reintroducing staff

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87 **slowly. 3 furloughed employees have obtained employment**
88 **elsewhere. Appreciation expressed to the employees who have**
89 **worked through the pandemic as many have had to assume up**
90 **to three additional duties.**
91 **Indian Child Welfare Department – Two employees with 75**
92 **children they are working with.**
93 **IT: 56 requests for help submitted. Average response time 46**
94 **minutes. IT manages 144 work- stations and six different web**
95 **sites. One of the web sites has gone live – shawneeskys.com**
96 **Early Childhood Learning Center: Director brought back on May**
97 **18th to work on return plan for staff and children. Master and**
98 **Lead Teachers returned May 26th. Construction continued on**
99 **the Learning Center while it was closed. Sewer, electric and air**
100 **were all worked on.**
101 **Library Print Shop: Now open as of June 1st and patrons are**
102 **required to have their temperatures checked. Patrons return**
103 **all library media through the drop box at the front of the**
104 **building, the media then goes into quarantine for 24 hours, and**
105 **is sanitized before returning to the shelf. Continues to work on**
106 **and will be reporting on grant.**
107 **Eastern Shawnee Tribal Police: Indicate that patrolling Eastern**
108 **Shawnee Tribal properties have been the primary**
109 **responsibility.**
110 **Financially speaking from Monica Betis and the Social Service**
111 **Department the Budget is \$5,437,000. We have spent**
112 **\$3,000,000 of that so there is \$2,549,000. In the balance to**
113 **use until Oct. 1.**
114 **Monthly tag report – 58 renewal of tags, 11 new and revenue**
115 **of \$5,659.**
116 **Enrollment continues to increase with 3,592 at the end of May.**
117 **With two added tonight it will be 3,594.**
118 **Wellness Center: May is slowly returning to normal. Even**
119 **though closed on weekends and closing early we had 1,637**
120 **visits to the Wellness Center. They are now back to their**
121 **normal schedule and hours.**
122 **Travel Report: No overnight travel.**
123 **Hazard Pay Request: Recommendation and request submitted**
124 **asking BC to adopt Hazard Pay Policy. This policy would**
125 **address adequate compensation of their efforts in special**
126 **circumstances/situations/conditions in which they may be**
127 **asked to work. A copy of this written request was provided to**
128 **the Business Committee members to consider and place on the**
129 **next agenda. Also submitted COVID-19 Leave policy for the**

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130 **Business Committee members to consider and place on next**
131 **agenda. This would provide adequate compensation for**
132 **employees asked to work in these**
133 **circumstances/situations/conditions and will be limited to**
134 **COVID-19 pandemic/epidemic outbreak.**
135 **Chief Wallace presented a four page report on the Eastern**
136 **Shawnee Tribe of Oklahoma COVID-19 Use of Funds and**
137 **provided a chart of the CARES Act Funding and explained how**
138 **funds were received, expenses and the Funding balance. All of**
139 **this will be audited. Copies were provided to the Business**
140 **Committee. Chief Wallace urged discussion by the Business**
141 **Committee concerning lifting the State of Emergency at some**
142 **point.**
143 **Re-furlough: Main goal has been for services to be provided**
144 **and this has been accomplished. Some employees will continue**
145 **to draw their unemployment and will be re-furloughed. This**
146 **will be a savings for the tribe.**
147 **Extension of Paid Health Premiums for Furloughed Employees:**
148 **Chief Wallace asks that this be considered by the Business**
149 **Committee.**
150 **Early Childhood Learning Center is open and averaging 45**
151 **students a day.**
152 **Bids for Early Childhood Learning Center: Chief Wallace**
153 **provided copies of three bids for electrical work at the ECLC to**
154 **business committee. The first bid which is also the cheapest**
155 **bid is recommended by our contractor in the amount of**
156 **\$56,500.00. This is the company that has been doing the work**
157 **at the ECLC.**
158 **MOTION TO ACCEPT the bid from Bill's Electric, Inc. in the**
159 **amount of \$56,500.00 for Learning Center Expansion made by**
160 **Treasurer Barnes with second by 2nd Council Daugherty.**
161 **Motion carried: 5 approved, 0 opposed.**
162 **Treasury Sued Regarding Cares Act Distribution: Chief Wallace**
163 **read and distributed to Business Committee from "Tribe Sues**
164 **Treasury Over Use of 'Highly Unreliable' Metric to Allocate**
165 **CARES Funding". Per article Treasury used a flawed population**
166 **metric to allocate a portion of the \$8 billion in COVID-19 relief**
167 **funds to Tribes under the CARES Act, resulting in the severe**
168 **undercounting and underfunding of some Tribal Nations,**
169 **according to a lawsuit filed in D.C. federal Court Monday.**
170 **Lobbyist: Chief Wallace contacted Jennifer Marley and she has**
171 **accepted for \$5,000 a month for 3 months totaling \$15,000.**
172 **She has sent a contract and the contract was sent to our**

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173 inhouse counsel for review. Our inhouse counsel approved the
174 contract and the contract was approved, signed and a check cut
175 and returned to Lobbyist Jennifer Marley. Several calls and
176 conversations have taken place. Chief Wallace also read and
177 distributed to the Business Committee a copy of the letter she
178 drafted to Steve Mnuchin, Secretary, U.S. Department of the
179 Treasury concerning the grossly disproportionate distribution
180 of CARES funds to the Eastern Shawnee Tribe due to the use of
181 unreliable tribal population numbers.

182 Housing Authority: Reports their application was not funded.
183 GRANTS: Presentation of two IMLS Grants that are going to be
184 submitted. The first is the Native American/Native Hawaiian.
185 The second is the IMLS Cares Grant. These grants have been
186 requested by the Library. They provide for equipment and
187 assistance with salaries. These grants do not require a
188 Resolution and are non-matching funds.

189

190 RESOLUTIONS

191 Grants: Grants presented did not require a Resolution.
192 Eastern Shawnee Tribe of Oklahoma Environmental Health &
193 Safety has been pushed back to the June 24, 2020 meeting.

194

195 REQUISITIONS

196 Requisition EN-65579 payable to Connections IT Inc. for
197 Genetec Advantage Renewal System in the amount of
198 \$128,334.29.

199 MOTION TO APPROVE by Treasurer Barnes with second by 2nd
200 Council Daugherty.

201 Motion carried: 5 approved, 0 opposed.

202 Requisition EN-66805 payable to Brown and Brown of
203 Oklahoma in the amount of \$41,067.00 for WC Installment
204 #14.

205 MOTION TO APPROVE by 2nd Council Daugherty with second by
206 3rd Council Stovall.

207 Motion carried: 5 approved, 0 opposed.

208

209 NEW BUSINESS

210 None presented.

211

212 OLD BUSINESS

213 3rd Council Stovall proposed allowing the opening back up of
214 the Business Committee meetings to tribal members with the
215 use of former seating per CDC guidelines effective immediately.

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216 Further recommendations were the use of hand sanitizer,
217 temperatures taken before admission, masks (per tribal
218 member's choice) and social distancing where possible.
219 MOTION TO APPROVE opening the Business Committee
220 meetings to Tribal Members per CDC guidelines, effectively
221 immediately by 3rd Council Stovall with 2nd by Treasurer
222 Barnes.

223 Motion carried: 5 approved, 0 opposed.

224

225

226 MOTION to go into closed session at 7:10 P.M., following a five
227 minute break, by Treasurer Barnes with second by 2nd Council
228 Daugherty.

229 Motion carried: 5 approved, 0 opposed.

230

231 CLOSED SESSION

232

233 MOTION to return to open session at 1:14 A.M. by Treasurer
234 Barnes with second by 2nd Council Daugherty.

235 Motion carried: 5 approved, 0 opposed

236

237 MOTION to accept lease proposal from McKibben Farms, LLC for
238 60 acres of property on the South end of the Martin Property,
239 contingent with Shooting Range Property, for 5 years at \$50.00
240 per acre per year less fencing expense by 2nd Council
241 Daugherty with second by 3rd Council Stovall.

242 Motion carried: 5 approved, 0 opposed.

243

244 MOTION to reimburse Jack Ross and R.C. Kissee for Attorney
245 fees made by 1st Council Gardner with second by Secretary
246 Littlefield.

247 Motion carried: 3 approved, (Gardner, Daugherty and
248 Littlefield), 1 opposed (Barnes), 1 abstained (Stovall)

249

250 MOTION TO ADJOURN at 1:20 A.M. by 1st Council Gardner with
251 second by Treasurer Barnes.

252 Motion carried: 5 approved, 0 opposed.

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Debbie Littlefield, Secretary


Jack Ross, Second Chief

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261

Date

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