

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

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DATE: Wednesday, November 18th, 2020

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 5:31 p.m. with the following answering roll call: 2nd Council Daugherty, 3rd Council Kraus, Treasurer Barrett and Secretary Littlefield. 1st Council Gardner was absent. Second Chief Ross and Chief Wallace were present. Declaration of Quorum by Second Chief Ross.

NEW ENROLLEES – None Presented

MINUTES

Motion to approve Minutes with correction (Line 18 3rd Council Kraus arrived at 4:45 p.m.) made by Treasurer Barrett with second by 2nd Council Daugherty.

Motion carried: 4 approved, 0 opposed, 0 Abstained, 1 absent, (Gardner).

REPORTS

CASINO – Melanie Heskitt, General Manager

Indigo Sky reporting month/previous month – Revenue up 3.7%, Expenses up

Outpost Casino – Revenue up 8.5%, Expenses up 16%

Comparison October 20 to October 19:

Indigo Sky – Revenue up 23%, Expenses down 12%

Outpost Casino – Revenue up 20%, Expenses down 12.6%

Year to Date:

Indigo Sky – Revenue up 23%, Expenses down 12%, EBIDA up 197%

Outpost Casino – Revenue up 20%, Expenses down 12.6%, EBIDA up 87%

GAMING – Jalene Wells, Gaming Commissioner

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37 **Employees – Current 2020**
38 **42 Total Employees as of 8-26-2020 – 15 GC Department – 1**
39 **Commissioner, 2 Deputy Commissioners, 1 Licensing**
40 **Supervisor, 1 Vendor Licensing Agent, 1 Employee Licensing**
41 **Agent, 1 Licensing Clerk. 1 EGM Supervisor – 2 EGM Agents,**
42 **Compliance Auditors – 3 Compliance Agents. 1 Receptionist, 1**
43 **Administrative Assistant – Transferring to Cultural Preservation**
44 **11-23-2020. 23 Surveillance Department – 14 Agents, 6 Leads,**
45 **2 TG Lead, 1 Supervisor. 4 Technical Department – 1 Technical**
46 **Architect, 1 Systems Administrator, 1 Lead Technician, 1**
47 **Technician.**
48 **Licensing for October 2020 – Casino Employee – Processed 60**
49 **Renewals and New Hires processed. 0 Denials, 1 Suspension, 1**
50 **Revocation. Conditional Employee Licenses Monitored – 1,**
51 **Non-Gaming Companies – processed 12, Non-Gaming Vendor**
52 **Employees – Processed 32, Gaming Companies – Processed 6,**
53 **Gaming Vendor Employees – 34, Gaming Vendor Fees Collected**
54 **- \$15750, Non-Gaming Vendor Fees Collected - \$2050,**
55 **Employee Licensing Fees Collected - \$11250, Total Fees**
56 **Collected - \$29050.**
57 **EGM October 2020 – 15 New Machine installs, 19 Machines**
58 **Removed, 12 Machine Software/Theme Conversions, 5**
59 **Software Upgrades, 3 Software Replacements, 0 Gaming**
60 **Machine relocations, 0 Server installs/upgrades, 117 Single**
61 **pieces of software tested, 66 Seal Activities, Machine Fees**
62 **Billed - \$675(YTD\$675), Machine Fees Collected -**
63 **\$675(YTD\$675).**
64 **Audit Observations and Reports – October 2020**

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65 **Cage – 118, EGM – 64, Jackpot – 88, Players Club – 102, Table**
66 **Inventory – 22, Card Exchange – 0, Table Fill – 28, Table Credit**
67 **– 1, Title 31 Inquiries – 2.**

68 **Training – All Auditors attended online NIGC Seminar and**
69 **Active Shooter Webinar Oct. 6-8.**

70 **Angelia and Bridget attended online NIGC for Mobile Gaming**
71 **Oct. 8.**

72 **Kecia, Amanda, Kimi, Rachel, Ashley, Amber, Jalene, Simon and**
73 **Kodi completed CIIS Security Awareness Training and**
74 **Certification. (Requirement for having access to CHRI)**

75 **EXTERNAL AUDIT – Final Review for MICS Reports was**
76 **submitted from REDW and Casino Management responded with**
77 **completion. Final Report will be released at the same time of**
78 **the Financial Statement Reports.**

79

80 **TREASURER REPORT- Justin Barrett, Treasurer**

81 **The Cares Act Funding is sitting at \$187,000.00. There were no**
82 **disbursements this week. Accounting has only 3 for next week.**

83 **The BC Budget has been attached for the BC members to view.**

84 **Ending 10/31 there has been only one donation request. The**

85 **accrued liability is down almost one million. Economic**

86 **Development went up due to the settlement we received.**

87

88 **RESOLUTIONS**

89 **RESOLUTION NUMBER 111120R-01 In-House Counsel and Use**
90 **of Outside Counsel.**

91 **NOW THEREFORE IT BE RESOLVED, that the Business**

92 **Committee of the Eastern Shawnee Tribe orders all tribal**

93 **departments, directors, officers, committees, boards,**

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94 **commissions and wholly tribally owned entities to submit all**
95 **contracts, TORT claims, lawsuits, and all other legal matters to**
96 **the In-House Counsel.**

97 **BE IT FURTHER RESOLVED that any outside counsel shall not be**
98 **retained without first consulting with the In-House Counsel.**

99 **The In-House Counsel will determine if outside counsel or legal**
100 **opinions are needed. The In-House Counsel shall inform the**
101 **Business Committee of such need.**

102 **BE IT FURTHER RESOLVED that the Business Committee of the**
103 **Eastern Shawnee Tribe hereby designates the office of In-**
104 **House Counsel as the primary point of contact for all legal**
105 **matters.**

106 **MOTION TO APPROVE RESOLUTION 111820R-01 regarding In-**
107 **House Counsel and use of Outside Counsel made by 2nd Council**
108 **Daugherty with second by Treasurer Barrett.**

109 **Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent**
110 **(Gardner).**

111 **RESOLUTION NUMBER 111820R-02 approving the attached**
112 **Farming and Grazing Lease of Property owned by the Eastern**
113 **Shawnee Tribe of Oklahoma commonly known as the Felkins**
114 **Property.**

115 **NOW THEREFORE BE IT RESOLVED, Glenna J. Wallace, Chief of**
116 **the Eastern Shawnee Tribe of Oklahoma, or her designee (as**
117 **provided in writing) is authorized to conduct negotiations on**
118 **behalf of the Eastern Shawnee Tribe of Oklahoma and approve**
119 **and execute any and all documents relating to the subject**
120 **lease.**

121 **BE IT FINALLY RESOLVED that the Business Committee of the**
122 **Eastern Shawnee Tribe of Oklahoma does hereby wish to**

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123 **approve the attached Farming and Grazing Lease of Property**
124 **owned by the Eastern Shawnee Tribe of Oklahoma located at**
125 **66801 E. 130 Rd. Wyandotte, Ok 74370 commonly known as**
126 **the Felkins Property for a lease period of three (3) years with**
127 **lease number 921 000G040027 with BIA TAAMS Document**
128 **Number 4200235985; does expressly waive all bonds**
129 **associated with this lease; does expressly waive insurance**
130 **requirements; does expressly waive administrative fees**
131 **associated with this transaction; and does hereby grant**
132 **permission to the Bureau of Indian Affairs to approve a lease**
133 **for the Felkins Property.**

134 **MOTION TO APPROVE RESOLUTION NUMBER 111820R-02 made**
135 **by Secretary Littlefield with second by 2nd Council Daugherty.**
136 **Motion carried: 4 approved, 0 opposed, 0 abstained,**
137 **1 absent (Gardner).**

138 **RESOLUTION NUMBER 111820R-03 approving the attached**
139 **Farming and Grazing Lease of Property owned by the Eastern**
140 **Shawnee Tribe of Oklahoma commonly known as the Harkins**
141 **Property.**

142 **NOW THEREFORE BE IT RESOLVED, Glenna J. Wallace, Chief of**
143 **the Eastern Shawnee Tribe of Oklahoma, or her designee (as**
144 **provided in writing) is authorized to conduct negotiations on**
145 **behalf of the Eastern Shawnee Tribe of Oklahoma and approve**
146 **and execute any and all documents relating to the subject**
147 **lease.**

148 **BE IT FINALLY RESOLVED that the Business Committee of the**
149 **Eastern Shawnee Tribe of Oklahoma does hereby wish to**
150 **approve the attached Farming and Grazing Lease of Property**
151 **owned by the Eastern Shawnee Tribe of Oklahoma located at**

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152 **10604 S 689 Rd. Wyandotte, Ok 74370 commonly known as the**
153 **Harkins Property for a lease period of three (3) years with**
154 **lease number 921 000G040028 with BIA TAAMS Document**
155 **number 4200235993; does expressly waive all bonds**
156 **associated with this lease; does expressly waive insurance**
157 **requirements; does expressly waive administrative fees**
158 **associated with this transaction; and does hereby grant**
159 **permission to the Bureau of Indian Affairs to approve a lease**
160 **for the Harkins Property.**

161 **MOTION TO APPROVE RESOLUTION 111820R-03 made by 2nd**
162 **Council Daugherty with second by Treasurer Barrett.**

163 **Motion carried: 4 approved, 0 opposed, 0 abstained**
164 **1 absent (Gardner).**

165 **RESOLUTION NUMBER 111820R-04 approving the attached**
166 **Farming & Grazing Lease of Property owned by the Eastern**
167 **Shawnee Tribe of Oklahoma commonly known as the**
168 **Oliver/Cook Properties.**

169 **NOW THEREFORE BE IT RESOLVED** Glenna J. Wallace, Chief of
170 **the Eastern Shawnee Tribe of Oklahoma, or her designee (as**
171 **provided in writing) is authorized to conduct negotiations on**
172 **behalf of the Eastern Shawnee Tribe of Oklahoma and approve**
173 **and execute any and all documents relating to the subject**
174 **lease.**

175 **BE IT FINALLY RESOLVED** that the Business Committee of the
176 **Eastern Shawnee Tribe of Oklahoma does hereby wish to**
177 **approve the attached Farming and Grazing Lease of Property**
178 **owned by the Eastern Shawnee Tribe of Oklahoma located at**
179 **10451 South 695 Road, Wyandotte, OK 74370 commonly**

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180 known as the Oliver/Cook Properties for a lease period of three
181 (3) years with lease number 01012021.

182 MOTION TO APPROVE RESOLUTION NUMBER 111820R-04 made
183 by 3rd Council Kraus with second by Treasurer Barrett.

184 Motion carried: 4 approved, 0 opposed, 0 abstained,
185 1 absent (Gardner).

186 RESOLUTION NUMBER 111820R-05 approving the attached
187 Farming & Grazing Lease of Property owned by the Eastern
188 Shawnee Tribe of Oklahoma commonly known as the Stoner
189 Property.

190 NOW THEREFORE BE IT RESOLVED, Glenna J. Wallace, Chief of
191 the Eastern Shawnee Tribe of Oklahoma, or her design (as
192 provided in writing) is authorized to conduct negotiations on
193 behalf of the Eastern Shawnee Tribe of Oklahoma and approve
194 and execute any and all documents relating to the subject
195 lease.

196 BE IT FINALLY RESOLVED that the Business Committee of the
197 Eastern Shawnee Tribe of Oklahoma does hereby wish to
198 approve the attached Farming and Grazing Lease of Property
199 owned by the Eastern Shawnee Tribe of Oklahoma located at
200 10995 S. 679 Rd. Wyandotte, OK 74370 commonly known as
201 the Stoner Property for a lease period of three (3) years with
202 lease number 921 000G040029 with BIA TAAMS Document
203 Number 4200235989; does expressly waive all bonds
204 associated with this lease; does expressly waive insurance
205 requirements; does expressly waive administrative fees
206 associated with this transaction; and does hereby grant
207 permission to the Bureau of Indian Affairs to approve a lease
208 for the Stoner Property.

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209 **MOTION TO APPROVE RESOLUTION NUMBER 111820R-05**
210 **made by 2nd Council Daugherty with second by Treasurer**
211 **Barrett.**

212 **Motion carried: 4 approved, 0 opposed, 0 abstained,**
213 **1 absent (Gardner).**

214 **RESOLUTION NUMBER 111820R-06 approving the attached**
215 **Farming and Grazing Lease of Property owned by the Eastern**
216 **Shawnee Tribe of Oklahoma commonly known as the Young**
217 **Property.**

218 **MOTION TO APPROVE RESOLUTION NUMBER 111820R-06 made**
219 **by 2nd Council Daugherty with second by Treasurer Barrett.**

220 **Motion carried: 4 approved, 0 opposed, 0 abstained**
221 **1 absent (Gardner).**

222 **RESOLUTION NUMBER 111820R-07 Resolution to adopt the**
223 **attached Eastern Shawnee Tribe of Oklahoma Drug and Alcohol**
224 **Policy.**

225 **NOW THEREFORE IT BE RESOLVED that the Business**
226 **Committee of the Eastern Shawnee Tribe does hereby approve**
227 **the attached Eastern Shawnee Tribe of Oklahoma Drug and**
228 **Alcohol Policy. The Eastern Shawnee Tribe includes the Tribal**
229 **Government and all entities owned and operated under the**
230 **Eastern Shawnee Tribe.**

231 **MOTION TO APPROVE RESOLUTION NUMBER 111820R-07 made**
232 **by Secretary Littlefield with second by Treasurer Barrett.**

233 **Motion carried: 4 approved, 0 opposed, 0 abstained,**
234 **1 absent (Gardner).**

235 **RESOLUTION NUMBER 111820R-08 to amend Section 4.19**
236 **"Drug and Alcohol" of the Eastern Shawnee Tribe of Oklahoma**
237 **Business Committee Employee Handbook.**

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238 **NOW THEREFORE IT BE RESOLVED that the Business**
239 **Committee of the Eastern Shawnee Tribe does hereby approve**
240 **the attached amendment of Section 4.19 "Drug and Alcohol" in**
241 **the Business Committee Employee Handbook.**

242 **Motion carried: 4 approved, 0 opposed, 0 abstained,**
243 **1 absent (Gardner).**

244 **RESOLUTION NUMBER 111820R-09 to amend Section 4.19**
245 **"Drug and Alcohol" of the Eastern Shawnee Tribe of Oklahoma**
246 **Tribal Administration Employee Handbook.**

247 **NOW THEREFORE IT BE RESOLVED that the Business**
248 **Committee of the Eastern Shawnee Tribe does hereby approve**
249 **the attached amendment of Section 4.19 "Drug and Alcohol" in**
250 **the Eastern Shawnee Tribe of Oklahoma Tribal Administration**
251 **Employee Handbook.**

252 **MOTION TO APPROVE RESOLUTION NUMBER 111820R-09 made**
253 **by Secretary Littlefield with second by Treasurer Barrett.**

254 **Motion carried: 4 approved, 0 opposed, 0 abstained,**
255 **1 absent (Gardner).**

256

257 **REQUISITIONS – None Presented**

258

259 **NEW BUSINESS**

260 **Treasurer Barrett states that he has questions about how cell**
261 **phone remittances are submitted stating some are submitted**
262 **monthly, others every 3 months and Chief Wallace adds some**
263 **have been submitted once yearly. Chad Kelly states that he**
264 **has recently discussed this with Karen Allen, Accounting and**
265 **she has requested that they be submitted quarterly. Chief**
266 **Wallace will pass this information on to all employees at their**
267 **next meeting.**

268 **Treasurer Barrett also had questions concerning who has credit**
269 **cards and how many each department has. It was verified that**
270 **each department has one credit card, with the exception of the**

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271 **Police Department having two – one for day shift and one for**
272 **night shift to use for fueling vehicles. Treasurer Barrett**
273 **requested that a list of credit card holders be provided to the**
274 **Business Committee. This will be provided to him by Chad**
275 **Kelly.**

276 **Chief Wallace states they are having difficulty obtaining the**
277 **Christmas Gift Cards from Walmart due to the large number**
278 **that is required. It has been decided to give cash instead of**
279 **cards to solve this issue.**

280

281 **OLD BUSINESS – None presented**

282

283 **MOTION to go into Closed Session following a ten-minute break**
284 **made at 6:08 p.m. by 2nd Council Daugherty with second by 3rd**
285 **Council Kraus.**

286 **Motion carried: 4 approved, 0 opposed, 0 abstained.**
287 **1 absent (Gardner)**

288

289 **MOTION to return to Open Session at 8:19 p.m. made by**
290 **Treasurer Barrett with second by 2nd Council Daugherty.**

291 **Motion carried: 4 approved, 0 opposed, 0 abstained.**
292 **1 absent (Gardner).**

293

294 **MOTION TO ADJOURN at 8:21 p.m. made by Treasurer Barrett**
295 **with second by 2nd Council Daugherty.**

296 **Motion carried: 4 approved, 0 opposed, 0 abstained.**
297 **1 absent (Gardner).**

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300 **ADJOURN**

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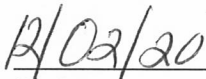
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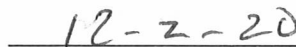
Debbie Littlefield, Secretary



Date



Jack Ross, Second Chief



Date