

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1
2 **DATE: Wednesday, October 28, 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 5:32 p.m. with
9 the following answering roll call: 1st Council Gardner, 2nd Council
10 Daugherty, Treasurer Barrett and Secretary Littlefield. A quorum was
11 declared by 2nd Chief Ross. Chief Wallace and 2nd Chief Ross were in
12 attendance. 3rd Council Kraus absent.

13
14 **NEW ENROLLEES presented by Chief Wallace**

15 **Orion Hunter Carranza (DOB: 10/24/2018)**

16 **Greyson James Zinn (DOB: 11/26/2019)**

17 **MOTION TO APPROVE new enrollees made by 2nd Council**

18 **Daugherty with second by Treasurer Barrett.**

19 **Motion carried: 4 approved, (Barrett, Daugherty, Gardner,**
20 **Littlefield), 0 opposed, 1 absent (Kraus)**

21
22 **MINUTES**

23 **MOTION to approve minutes of October 14, 2020 Business**
24 **Committee Meeting made by Treasurer Barrett with second by**
25 **1st Council Gardner.**

26 **Motion carried: 4 approved (Barrett, Daugherty, Gardner,**
27 **Littlefield), 0 opposed, 1 absent (Kraus).**

28
29 **3rd Council Kraus arrived at 5:45 p.m.**

30
31 **REPORTS**

32 **POW WOW Report given by Kelley King.**

33 **The Annual Report was given by the new Chairman, Kelley**
34 **King, due to the resignation of the previous Chairman. The**
35 **following changes have been made to the Pow Wow Committee**
36 **membership: Kelley King, Chairman, Dennis Bluejacket Co-**
37 **Chairman, Bobby Barbarick, Secretary, Kathryn Ross Treasurer,**
38 **Bobby Bluejacket and Linda Shores members. The Annual Pow**
39 **Wow (2020) was cancelled due to the COVID19 Pandemic with**

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40 **the health and safety of everyone being the top priority. We**
41 **are looking forward to having a great Pow Wow next year and**
42 **the Committee has begun working on the 2021 Pow Wow. The**
43 **Committee has already selected some of the Head Staff and**
44 **confirmation has been received of their acceptance. The**
45 **committee will continue with the planning, more decisions will**
46 **be made and there is more work to be done. The Committee**
47 **did inventory at the storage unit and inventory and cleaning is**
48 **scheduled to be done at the Cook Shack next month. The**
49 **Committee thanked the BC for continued support of the Pow**
50 **Wow. Chairman Kelley stated that our Pow Wow is Tradition,**
51 **our culture and how we come together and what we will be**
52 **passing down to our youth and all the generations to come.**

53

54 **HOUSING AUTHORITY Report – Postponed to Nov. 11th Agenda**

55

56 **CASINO Report given by Melanie Heskitt, GM**

57 **Comparison of month/month (Sept/Aug) Indigo Sky Casino**

58 **Total Revenues down 5.8%, Expenses down 55%,**

59 **Outpost Casino Sept/Aug – Total Revenues down 1.2%,**

60 **Expenses down 16.7%. Comparison same month a year ago –**

61 **Indigo Sky Casino Revenue up 20.5%, Expenses down 60%,**

62 **EBIDA up 454%. Outpost Casino Revenues up 10.6%,**

63 **Expenses down 26.7%, EBIDA up 93%.**

64 **Total Revenues Year to Date – Indigo Sky Revenues is 4.8%**

65 **less than FY2019. When we came back after 60 days, we had**

66 **lost approximately 15% or 15 million dollars in revenues. So**

67 **11 million dollars in revenue in the last 5 months has been**

68 **amazing. We were able to hold our expenses down to a little**

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69 **over 19% and EBIDA was up by 68%. Outpost Casino**
70 **revenues were down by 19.2% but expenses were down by**
71 **18%. All in all we have had a good recovery and we continue**
72 **with our plan, keeping the crowds minimal and the expenses**
73 **down, making sure we are driving the right people into the**
74 **casino. Bingo was opened Oct. 1st, with a great response, the**
75 **average headcount being around 180 per night. Bingo is closed**
76 **on Mondays and Tuesdays but revenue in that area has been**
77 **comparable to what it was this time last year. Labor has been**
78 **cut due to not being open those extra two days. We are**
79 **looking forward to New Year's Eve and to try to hold our**
80 **crowds to a minimum. The Casino continues to test daily to**
81 **keep Covid cases from spreading into our casino.**

82

83 **GAMING COMMISSION Report given by Jalene Wells, Gaming**
84 **Commissioner. The 4 remaining employees who were off on**
85 **furlough have returned to work. We have been doing some**
86 **moving around of our offices due to trying to provide more**
87 **social distance space.**

88 **Employees – Current 2020**

89 **40 Total Employees as of 8-26-2020. 15 GC Department – 1**

90 **Commissioner, 2 Deputy Commissioners, 1 Licensing**

91 **Supervisor – 1 Vendor Licensing Agent, 1 Employee Licensing**
92 **Agent, 1 Licensing Clerk.**

93 **1 EGM Supervisor – 2 EGM Agents**

94 **Compliance Auditors – 3 Compliance Agents**

95 **1 Receptionist**

96 **1 Administrative Assistant**

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97 **22 Surveillance Department – 12 Agents (Had 2 quit and 2 from**
98 **furlough returned), 6 Leads, 2 TG Leads, 1 Supervisor.**
99 **4 Technical Department – 1 Technical Architect, 1 Systems**
100 **Administrator, 1 Lead Technician, 1 Technician.**
101 **Licensing for September 2020**
102 **Casino Employee – Processed 100 (up 21 to last month)**
103 **Renewals and New Hires Processed – 1 Denial, 0 Suspensions,**
104 **0 Revocations.**
105 **Conditional Employee Licenses Monitored – 1**
106 **Non-Gaming Companies – processed 18**
107 **Non-Gaming Vendor Employees – Processed 50**
108 **Gaming Companies – Processed 1**
109 **Gaming Vendor Employees – 19**
110 **Gaming Vendor Fees Collected - \$12500**
111 **Non-Gaming Vendor Fees Collected - \$2950**
112 **Employee Licensing Fees Collected - \$4250**
113 **TOTAL FEES COLLECTED - \$19700**
114 **EGM – September 2020**
115 **5 New machine installs, 6 Machines Removed, 6 Machine**
116 **Software/Theme Conversions, 1 Software Upgrade, 4 Software**
117 **Replacements, 4 Gaming Machine relocations, 0 Server**
118 **Installs/Upgrades, 50 Single pieces of software tested, 116**
119 **SEAL ACTIVITIES, Machine Fees Billed - \$1325 (YTD \$105825),**
120 **Machine Fees Collected - \$225 (YTD \$104725)**
121 **Audit Observations and Reports – Sept. 2020**
122 **Cage – 120, EGM 116, Jackpot – 89, Players Club – 101, Table**
123 **Inventory – 21, Card Exchange – 0 Table Fill – 23, Table Credit**
124 **– 4, Table 31 Inquiries – 14.**
125 **Training**

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126 **All EGM Agents and Auditors attended online NIGC seminar and**
127 **Active Shooter Webinar.**

128 **External Audit**

129 **Draft of ALP Audit has been presented to Commission for**
130 **review – 1 finding that affects two areas of non-compliance.**
131 **Both are for a key audit not being conducted for quarter ending**
132 **March 31st. This would be due to Pandemic closing of the**
133 **casino and the responsible department being furloughed during**
134 **the audit period.**

135

136 **TREASURER REPORT presented by Justin Barrett, Treasurer**
137 **Business Committee. Treasurer reports that he will be doing a**
138 **monthly Treasure's report and will also be putting a report in**
139 **the Shooting Star. Included in the report to the Business**
140 **Committee for this month:**

141 **Business Committee Budget for FY21**

142 **A current listing of all donations from the BC for FY21**

143 **The current status of the CARES Act Funding**

144 **The cash balances for tribal and casino accounts**

145 **A report for Indigo Sky Casino**

146 **A report for Outpost Casino**

147 **A combined report for Eastern Shawnee Gaming Operations**

148 **Gaming Operations Accounting:**

149 **Bordertown expenses will start showing on the Indigo Sky**

150 **Casino financials as a Bordertown expense item.**

151 **Tribal Accounting:**

152 **Tribal Accounting is still working on closing the fiscal tribal**

153 **administration and the accounting of all the business**

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154 **enterprises. Tribal Accounting Karen Allen will continue to do**
155 **quarterly reports to the Business Committee.**

156 **Tribal Members:**

157 **This information is for the tribal members to know how we**
158 **allocate the gaming revenue. The tribal transfer is around a**
159 **million for FY21. This is how we fund our tribal government**
160 **and social services. The gaming commission receives a**
161 **regulatory fee each month. The Business Committee has**
162 **allocated \$12,500 to land management and \$12,500 to**
163 **economic development.**

164 **Additional Information: The treasurer met with the external**
165 **auditors today for the gaming operations. The financial audit**
166 **should be wrapped by the second week of December. Another**
167 **audit report will be completed for the adjusted gaming**
168 **revenues. The MICS audit has already been started. Deputy**
169 **Gaming Commissioner Amber Graham and casino management**
170 **have the MICS audit for review. Once Amber and management**
171 **issue their responses they can wrap up the MICS audit. The**
172 **auditors are also doing a BSA audit. The treasurer explained**
173 **how the amount of money ESTOO received by the CARES Act**
174 **funding was determined, went over how the money was**
175 **disbursed and reported on the balance left in the fund. The BC**
176 **approved the extension of time for the CARES Act Funding at**
177 **their last meeting.**

178 **Eastern Shawnee Tribe Cash Balances (have provided the ones**
179 **that most tribal members would be interested in. These are**
180 **preliminary not final balances.)**

181 **Education Fund – 1.1 Million**

182 **Social Services – 15 Million**

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183 **Budget carry-over (20 to 21) – 3.2 Million**
184 **Casino FY 20 – Revenues down 6%, Expenses down 19% and**
185 **EBIDA up 52%.**

186

187 **RESOLUTIONS**

188 **ICDBG Grant moved to next Agenda – 11-11-20.**

189

190 **RESOLUTION NUMBER 102820R-1 approving a Counseling**
191 **Service Agreement between the Eastern Shawnee Tribe of**
192 **Oklahoma and Brandon McCombs (DBA STL234 Outreaches).**
193 **NOW THEREFORE BE IT RESOLVED that the Business**
194 **Committee of the Eastern Shawnee Tribe of Oklahoma does**
195 **hereby approve the attached Counseling Service Agreement**
196 **between the Eastern Shawnee Tribe of Oklahoma and Brandon**
197 **McCombs (dba STL234 Outreaches).**

198 **MOTION TO APPROVE RESOLUTION NUMBER 101420R-01 made**
199 **by 1st Council Gardner with second by 2nd Council Daugherty.**
200 **Motion carried: 4 approved, 0 opposed, 1 abstained. (Kraus)**

201

202 **RESOLUTION NUMBER 402820R-02 approving application by**
203 **the Tribe to National Park Service to assume State Historic**
204 **Preservation Officer functions on Tribal Lands.**

205 **WHEREAS, the Eastern Shawnee Tribe of Oklahoma**
206 **understands that it is in the best interest of Tribal sovereignty**
207 **to excursive this right and become the leading agency in the**
208 **management, preservation and protection of cultural**
209 **resources; and**

210 **THEREFORE, BE IT RESOLVED that the Business Committee of**
211 **the Eastern Shawnee Tribe of Oklahoma does hereby designate**
212 **Cultural Preservation Director Paul Barton as the Tribal Historic**
213 **Preservation Officer to oversee and administer the THPO**
214 **program and to serve as point of contact for the THPO**
215 **Program.**

216 **MOTION TO APPROVE RESOLUTION NUMBER 102820R-02 made**
217 **by Treasurer Barrett with second by Secretary Littlefield.**
218 **Motion carried: 5 approved, 0 opposed.**

219

220 **Motion to add two additional Resolutions to the Agenda**
221 **(Resolution Numbers 102820R-03 and 102820R-04 made by**
222 **2nd Council Daugherty with second by Treasurer Barrett.**

223 **Motion carried: 5 approved, 0 oppose, 0 abstain.**

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RESOLUTION NUMBER 102820R-03 to update signature authority on Eastern Shawnee Tribal Enterprises and Burggraf Corporation Bank Accounts.

NOW THEREFORE BE IT RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to designate Treasurer Justin Barrett as an authorized signer on Eastern Shawnee Tribal Enterprises Bank Accounts.

BE IT FURTHER RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to designate Treasurer Justin Barrett as an authorized signer on the Burggraf Corporation Bank Accounts.

BE IT FURTHER RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to remove Cheryl Barnes from these accounts.

MOTION TO APPROVE RESOLUTION NUMBER 101420R-03 made by 2nd Council Daugherty with second by 1st Council Gardner.

Motion carried: 5 approved, 0 opposed.

RESOLUTION NUMBER 102820R-04 approving closing all Bordertown Casino & Arena (BTCA) Bank accounts at the People's Bank of Seneca.

NOW THEREFORE BE IT RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to close all Bordertown Casino & Arena (BTCA) bank accounts at the People's Bank of Seneca.

BE IT FURTHER RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby authorize Chief Glenna J. Wallace and Casino Assistant General Manager Jay Ross to execute all documents relevant to the account closures.

MOTION TO APPROVE RESOLUTION 102820R-04 made by Treasurer Barrett with second by 2nd Council Daugherty.

Motion carried: 5 approved, 0 opposed.

REQUISITIONS

QUOTE APPROVAL – Motion to approve Quote from Miracle Recreation Equipment Co. in the amount of \$26,936.84 for expansion at the Learning Center for playground equipment by Secretary Littlefield with second by 2nd Council Daugherty.

Motion carried: 5 approved, 0 opposed.

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267 **REQUISITION NUMBER PR00049336 from Indigo Sky Casino**
268 **Marketing Department in the amount of \$54,186.00 payable to**
269 **Fletcher Auto for vehicle purchase – giveaway. (to be paid**
270 **with retired progressive money.)**

271 **Motion to approve made by Treasurer Barrett with second by**
272 **2nd Council Daugherty.**

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

274

275 **Motion to add Grant Writer Aaron Epperson under New**
276 **Business made by 1st Council Gardner with second by Treasurer**
277 **Barrett.**

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

279

280 **NEW BUSINESS**

281 **Motion to approve authorization for \$2,000 for Grant**
282 **Application to the Oklahoma Historical Society made by**
283 **Secretary Littlefield with second by 3rd Council Kraus.**

284 **Motion carried: 3 approved (Daugherty, Kraus and Littlefield)**
285 **1 opposed (Gardner), 1 abstain (Barrett)**

286

287 **Chief Wallace presented the name of Nelson Hancock as**
288 **appointment to serve on the Housing Authority Board.**

289 **Motion for Nelson Hancock to continue serving on the Housing**
290 **Authority Board made by 3rd Council Kraus with second by**
291 **Treasurer Barrett.**

292 **Motion carried: 4 approved (Barrett, Gardner, Kraus,**
293 **Littlefield), 0 oppose, 1 abstain (Daugherty)**

294

295 **OLD BUSINESS**

296 **Discussion brought from floor concerning the possibility of a**
297 **Tribal Fire Department. Chief Wallace states there are Grants**
298 **available for the building but not for the personnel to man the**
299 **department. Chief Wallace will request the assistance from the**
300 **Grant Department to research any available Grants.**

301

302 **MOTION to go into Closed Session following a ten-minute break**
303 **made at 6:34 p.m. by Treasurer Barrett with a second by 1st**
304 **Council Gardner.**

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

306

307 **MOTION to return to Open Session at 10:37 p.m. made by**
308 **Treasurer Barrett with second by 2nd Council Daugherty.**

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

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311 **Motion to approve the Elder Crisis Application as discussed**
312 **made by Treasurer Barrett with second by 2nd Council**
313 **Daugherty.**

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

315

316 **Motion to approve Eastern Shawnee Tribal Police Department**
317 **raises-salary schedule made by Treasurer Barrett with second**
318 **by 2nd Council Daugherty.**

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

320

321 **Motion authorizing payment of \$1000 for application fee for**
322 **ITBC made by 2nd Council Daugherty with second by 1st Council**
323 **Gardner.**

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

325

326 **Motion to approve Personnel situation as discussed made by**
327 **Treasurer Barrett with second by 1st Council Gardner.**

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

330

331 **Motion authorizing Chad Kelly, Business Committee Liaison, to**
332 **list property based upon realtor's suggested evaluation made**
333 **by 2nd Council Daugherty with second by 1st Council Gardner.**

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

335

336 **MOTION TO ADJOURN at 10:40 p.m. made by 2nd Council**
337 **Daugherty with second by Treasurer Barrett.**

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

339

340 **ADJOURN**

341

342 
343 _____
344 Debbie Littlefield, Secretary

345

346 11-11-20
347 Date



Jack Ross, Second Chief

11-11-20
Date