

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

1 **DATE:** Wednesday, November 8th, 2023
2 **TIME:** 5:30 p.m.
3 **LOCATION:** Mahogany Room – Indigo Sky Casino
4 **INVOCATION:** Chief Glenna Wallace
5

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

7 The Business Committee Meeting was called to order at 5:40 p.m. by Treasurer Barrett,
8 in the absence of 2nd Chief Samples with the following answering roll call: 1st Council
9 Kissee, 2nd Council Daugherty, 3rd Council Kraus. Treasurer Barrett, Secretary Littlefield.
10 Chief Wallace was present, and a quorum was declared by Treasurer Barrett.
11

12 **NEW ENROLLEES:**

13 Enrollee	Birth Year
14 Benjamin Allan Morley	2021
15 Koen Layne Bear	2023
16 Emry Jolynn Ward	2023
17 Kylan Brooks Hazelwood	2023
18 Nekota Denton Bluejacket-Rush	2021

19

20 **MOTION: To accept new enrollees: The motion was made by 2nd Council**
21 **Daugherty with second by 3rd Council Kraus.**

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

24 **MINUTES:**

25 **MOTION To Approve the October 25th, 2023, Business Committee Meeting Minutes.**
26 The motion made by 1st Council Kissee with second by 2nd Council Daugherty.
27 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.
28

29 **REPORTS**

30 **Chief's Report:**

31 Thank You – Thank you notes were read by Chief Wallace from (1) Quapaw Community
32 Boosters for Quapaw Hay Days Donation, (2) NEO A & M College, Office of the
33 President (to recognize Chief Wallace as a graduate of NEO A & M College and (3) Ohio
34 History Connection for \$500,000.00 donation.

35 Donations Requests – (1) A request from Creation Safari Wildlife Park was tabled.
36 (2) Request made by Mariah Tyner with Reign for a donation for the Native American
37 Cultural Celebration Nov. 10-11 at the Coleman Theater in Miami, Okla.
38

39 **MOTION: To Donate \$2500.00 for the Native American Cultural Celebration. The**
40 **motion was made by 1st Council Kissee with second by Secretary Littlefield.**

41 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
42

43 **Director Reports – Provided to BC members prior to meeting.**

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44 NEO Tribal Appreciation – Special program held by NEO A & M College to honor all
45 the Chief's in the area and to have the opportunity to discuss how the college and tribes
46 can work together in the future.
47 Trunk or Treat – Attended by over 1200 children.
48 110 Road – 3 bids were presented for the 110 Road project by Justin Moorehead, Roads
49 Director. The Companies were Branco, Crosslands and Holcomb. Will be meeting for
50 further discussion. Hopefully 110 Road will be started on in December.
51 Mapping Project – waiting upon whether our reservation has been disestablished or
52 established. The land promised by a Treaty in 1831 was to be our reservation. The
53 reservation must be established legally since the McGirt decision. Our tribe has not had a
54 court case to determine whether our reservation is established or disestablished. Seven of
55 the tribes have gone together to determine where the jurisdictional lines are established.
56 An original marker for the Eastern Shawnee has land been found on the Cave Springs
57 Road on land called Sky Ranch.
58 People's Bank – People's Bank ranked 24th out of 246 banks of every size in the state of
59 Missouri according to the 3rd quarter report.
60 ICW – Has received a grant allowing them to work with children prior to a home incident
61 or difficulty. Two individuals have been hired and they will work with all tribes in our
62 area. They will be having their first meeting next week with all tribes to promote their
63 program.
64 Update from Joe Halloran – Continuing to work on the mapping project and other issues
65 with the tribes in the county.
66 Energy Plan Report – Chief Wallace will provide copies that she has received to the
67 Business Committee.
68 Christmas Bonus – Chief's recommendation has been provided to the Business
69 Committee for approval.
70 Veterans Celebration – Was held today at our AOA with a large number present. A video
71 showing every tribal member that served in the military was presented. Twenty veterans
72 who were present were honored individually.
73 Holidays – Veterans Day November 10th, Thanksgiving Nov. 23rd and 24th with the
74 offices closing at 12:00 on Wednesday the 22nd. Christmas Holiday will be December
75 24th and 25th.
76 Children's Christmas Party – Scheduled for Sat., December 2nd at the Annex. The party
77 is for the children of tribal members and employees. If employee's children are unable to
78 attend, we ask that the employee stop by the Annex to pick up their child's gift card as
79 these will not be mailed out. Gift cards are provided to our tribal elders and children ages
80 18 and under.
81 NCAI – National Congress of American Indians annual meeting will be held next week
82 in New Orleans. Chief Wallace will be attending this meeting. She will be gone Sunday
83 thru Thursday.
84
85 CASINO REPORT – Tabled
86
87 GAMING COMMISSION REPORT– Tabled
88

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89 TREASURER REPORT

90 Cash Balances:

91 The numbers below are the PRELIMINARY Cash Balances as of 09/30/2023 due the
92 fiscal year not being closed yet:

- 93 • General Fund at People's Bank of Seneca \$44,033,885
- 94 • This a reduction from the June 30, 2023, Cash Balance due to the investments
95 outlined below that were authorized.

96

97 The following investments were authorized by the Business Committee:

- 98 • People's Bank Sweep Account \$5,000,000
- 99 o Approved by Resolution 061423-R-01.
- 100 o Invested for three (3) months at 5.28% interest rate.
- 101 • Treasury Bonds \$26,500,000
- 102 o Approved by Resolution 080923-R-01. The account was opened in September.
- 103 o 5.52% interest rate.
- 104 o Current balance (total market value plus accruals) of \$26,734,683.37 as of
105 November 07, 2023.
- 106 o Matures on 03/07/2024.

107

108 Preliminary Cash Balance as of September 30, 2023, compared to September 30, 2020:

- 109 • Total General Fund accounts are \$76,859,595
- 110 o Compared to FY20's balance of \$40,361,084
- 111 o Resulting in an increase of \$36,498,511
- 112 • Total Federal Grants \$21,215,362
- 113 o Compared to FY20's balance of \$4,712,897
- 114 o Resulting in an increase of \$16,502,465
- 115 • Land Account \$2,330,775.
- 116 o Compared to FY20's balance of \$382,860
- 117 o Resulting in an increase of \$1,947,916
- 118 • Economic Development Account \$2,098,234
- 119 o Compared to FY20's balance of \$387,860
- 120 o Resulting in an increase of \$1,710,373
- 121 • Grand Total – All Tribal Admin Accounts \$106,864,818
- 122 o Compared to FY20's balance of \$51,672,910
- 123 o Resulting in an increase of \$55,191,908

124

125 Preliminary Committed Funds as of September 30, 2023, compared to September 30,
126 2020:

- 127 • Education Reserves \$1,889,736
- 128 o Compared to FY20's balance of \$1,174,884
- 129 o Resulting in an increase of \$724,852
- 130 • Social Services & Education Reserves \$20,891,349
- 131 o Compared to FY20's balance of \$15,379,400
- 132 o Resulting in an increase of \$5,511,949
- 133 • Maintenance Reserve \$4,500,000

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- 134 • Operating Reserve \$12,500,000
135 • Total Committed Funds \$83,829,356
136 o Compared to FY20's balance of \$33,288,060
137 o Resulting in an increase of \$50,541,296
138
139 Preliminary Total Available Cash as of September 30, 2023, compared to September 30,
140 2020:
141 • Total Available Cash \$23,035,462
142 o Compared to FY20's balance of \$18,384,850
143 o Resulting in an increase of \$4,650,612
144
145 Eastern Shawnee Companies:
146 • The Articles of Incorporation for Eastern Shawnee Economic Services was
147 approved by Resolution 121422-R-06.
148 • The Operating Agreement for Eastern Shawnee Economic Services was approved
149 by Resolution 121422-R-07.
150 • The name of Eastern Shawnee Economic Services was changed to Eastern
151 Shawnee Companies by Resolution 122822-R-05.
152 • The current Board of Directors was placed as outlined in the Operating
153 Agreement on December 28, 2022.
154 • Eastern Shawnee Companies By-Laws were adopted by Resolution 020822-R-08.
155 • All the jobs that were filled in October were posted by the Human Resources
156 Department on the tribal website. No tribal members applied for the positions.
157 • A Board of Directors position was posted on the tribal website after the last
158 Business Committee meeting.
159 • Currently Eastern Shawnee Companies is the holding company for:
160 o Eastern Shawnee Professional Services
161 o Eastern Shawnee Construction (previously Woodlands Construction
162 Management)
163 • The Business Committee at the request of Eastern Shawnee Companies will be
164 approving new LLC's to be formed as subsidiaries to ESC:
165 o Eastern Shawnee Staffing Solutions
166 o Eastern Shawnee Geospatial Solutions
167 • An Operating Budget has been submitted by the executive team for the Board of
168 Directors to review and approve/disapprove.
169 • Eastern Shawnee Companies financials were presented at the 2023 General
170 Council meeting on the Consolidated Financial Statement under Woodlands Group.
171
172 Woodlands Management:
173 • Woodlands Management is a holding company for the following companies:
174 o Woodlands Hospitality
175 o Woodlands Development
176 o Woodlands Management Services
177 o Woodlands Entertainment

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178 • Woodlands Management also holds our investment in Vetros on their balance
179 sheet.

180 • There is not an approved budget for this as there are no employees currently.

181 • Woodlands Management was designed to hold investments in other businesses
182 and casino/development projects in other gaming jurisdictions.

183 • Woodlands Management financials were presented at the 2023 General Council
184 meeting on the Consolidated Financial Statement under Woodlands Group.

185

186 Oklahoma Indian Gaming Association (OIGA) Update:

187

188 As the Delegate to OIGA I wanted to inform tribal members of recent developments. On
189 November 2, 2023, Governor Stitt released his plan to bring sports betting to Oklahoma.

190 Here are the highlights of that offer:

191 • Retail Event Wagering

192 o Conducted by federally recognized tribes pursuant to a Tribal-State Compact

193 o Revenue taxed at 15%

194 o Only in-person bets accepted

195 • Mobile Event Wagering

196 o Conducted pursuant to a license issued by the State of Oklahoma (initial licensing
197 fee of \$500,000, annual licensing fee of \$100,000)

198 o Revenue taxed at 20%

199

200 On November 4, 2023, Oklahoma Indian Gaming Association Chairman Matt Morgan
201 issued the following statement in response to the Governor's plan:

202

203 The Oklahoma Indian Gaming Association was not consulted prior to Gov. Stitt releasing
204 his sport betting plan. The members of the OIGA have been preparing to receive an offer
205 from the State on sports betting for the past couple of years, and while we appreciate
206 Gov. Stitt finally joining the sports betting conversation, to date he has not engaged in
207 meaningful and respectful government-to-government discussion with tribes. We remain
208 hopeful that he is committed to moving forward in a productive manner in accord with
209 established law and process, which would include working with the Oklahoma
210 Legislature to offer a compact supplement to tribes within the State-Tribal Gaming Act
211 construct that protects the tribes' "substantial gaming exclusivity." To approach it
212 otherwise is simply to invite failure.

213

214 Since the State-Tribal Gaming Act was offered by the people of Oklahoma in 2004 and
215 renewed in 2020, tribes have taken on 100% of costs and associated risks, paid all of the
216 State's monitoring expenses, exceeded all revenue projections, and have become the
217 recognized national industry leader. Likewise, Oklahoma continues to benefit under our
218 model compact at a rate that far exceeds any other state with an Indian Gaming
219 Regulatory Act compact with tribal nations. We look forward to seeing the more than \$2
220 billion dollars that gaming tribes have already contributed directly to the state continue to
221 grow and positively impact the state's education funding."

222

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223 Matthew L. Morgan
224 Chairman

225 Oklahoma Indian Gaming Association

226 **RESOLUTIONS:**

227 **RESOLUTION NUMBER 110823-R-01 Eastern Shawnee Tribe of Oklahoma**
228 **American Rescue Plan Act (ARPA) FY24 Budget**

229 **NOW THEREFORE BE IT RESOLVED, that the Business Committee of the**
230 **Eastern Shawnee Tribe of Oklahoma does hereby approve the FY24 project budget**
231 **for the US Department of the Treasury Coronavirus State and Local Fiscal**
232 **Recovery Funds (SLFRF): American Rescue Plan Act (ARPA). (attached)**

233 **MOTION:** To Approve Resolution Number 110823-R-01. The motion was made by
234 2nd Council Daugherty with second by 1st Council Kissee.

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

236

237 **RESOLUTION NUMBER 110823-R-02 Resolution to Open a DDA at People's**
238 **Bank of Seneca for Eastern Shawnee Professional Services, LLC.**

239 **NOW THEREFORE BE IT RESOLVED,** that the Business Committee of the Eastern
240 Shawnee Tribe of Oklahoma does hereby wish to open a demand deposit account at
241 People's Bank of Seneca for Eastern Shawnee Professional Services, LLC.

242 **BE IT FURTHER RESOLVED,** that the Business Committee of the Eastern Shawnee
243 Tribe of Oklahoma hereby designates Chief Glenna J. Wallace, Treasurer Justin Barrett,
244 and Secretary Debbie Littlefield as authorized signers.

245 **BE IT FINALLY RESOLVED,** that the Business Committee of the Eastern Shawnee
246 Tribe of Oklahoma hereby designates Chief Financial Officer Karen Allen as the
247 Administrator of cash Management.

248 **MOTION:** To approve Resolution Number 110823-R-02. The motion was made by 3rd
249 Council Kraus with second by Secretary Littlefield.

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

251

252 **RESOLUTION NUMBER 110823-R-03 Resolution to Open an Interest Bearing DDA at**
253 **People's Bank of Seneca for Eastern Shawnee Companies, LLC**

254 **NOW THEREFORE BE RESOLVED,** that the Business Committee of the Eastern
255 Shawnee Tribe of Oklahoma does hereby wish to open a demand deposit account at
256 People's Bank of Seneca for Eastern Shawnee Companies, LLC.

257 **BE IT FURTHER RESOLVED,** that the Business Committee of the Eastern Shawnee
258 Tribe of Oklahoma hereby designates Chief Glenna J. Wallace, Treasurer Justin Barrett,
259 and Secretary Debbie Littlefield as authorized signers.

260 **BE IT FINALLY RESOLVED,** that the Business Committee of the Eastern Shawnee
261 Tribe of Oklahoma hereby designates Chief Financial Officer Karen Allen as the
262 Administrator of Cash Management.

263 **MOTION:** To Approve Resolution Number 110823-R-03. The motion was made by 1st
264 Council Kissee with second by 3rd Council Kraus.

265 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

266

267 Geospatial Solutions and Staffing Solutions – Tabled

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268

269 MOTION: To Add the following Resolution – 110823-R-04

270 The motion was made by Secretary Littlefield with second by 2nd Council Daugherty.

271 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

272

273 RESOLUTION NUMBER 110823-R-04 Resolution authorizing the submission of
274 Funding Opportunity: Oklahoma Heritage Preservation Grant Program funded by the
275 Oklahoma Historical Society

276 NOW THEREFORE BE IT RESOLVED, that the Business Committee of the Eastern
277 Shawnee Tribe of Oklahoma does hereby authorize the grant submission of the
278 Oklahoma Heritage Preservation Grant Program funded by the Oklahoma Historical
279 Society in the amount of \$22,000. \$20,000 is being requested from the grant program.
280 The Eastern Shawnee Tribe of Oklahoma commits to providing the 10% cash match,
281 \$2,000 required by the Oklahoma Heritage Preservation Grant Program.

282 MOTION: To Approve Resolution Number 110823-R-04. The motion was made by 1st
283 Council Kissee with second by 2nd Council Daugherty.

284 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

285

286 MOTION: To authorize the submission of the Native American/Native Hawaiian
287 Museum Grant program. The motion was made by Secretary Littlefield with second by
288 3rd Council Kraus.

289 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

290

291 Quote Approval – Four State Fence, Inc.

292 Quote #339R1 in the amount of \$89,820.00 (\$46,300 of this amount is grand funded)
293 from Four State Fence, Inc. for Seneca ESTOO Fence Revised 1.

294 Motion: To approve Quote #339R1 made by 2nd Council Daugherty with second by 3rd
295 Council Kraus.

296 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

297

298 **REQUISITIONS**

299 **Requisition EN-102160 payable to Marmic Fire and Safety Co. in the amount of**
300 **\$30,435.00 for converting wet fire system to dry fire system – Nitrogen Generator.**

301 **MOTION: To Approve Requisition EN-102160. The motion was made by 2nd**
302 **Council Daugherty with second by 1st Council Kissee.**

303 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

304

305 **Requisition EN-102246 payable to Pelivan Transit/Grand Gateway E.D.A. in the**
306 **amount of \$27,756.45 for Invoice #807 September 2023.**

307 **MOTION: To Approve Requisition EN-102246. The motion was made by 1st**
308 **Council Kissee with second by 2nd Council Daugherty.**

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

310

311 **Requisition EN-102247 payable to Pelivan Transit/Grand Gateway E.D.A. in the**
312 **amount of \$33,268.82 for Invoice #806 September 2023.**

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- 313 **MOTION: To Approve Requisition EN-102247. The motion was made by 1st**
314 **Council Kissee with second by 3rd Council Kraus.**
315 **Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent (Littlefield).**
316
- 317 **Requisition EN-102248 payable to Connect Construction Services in the amount of**
318 **\$35,075.60 for WMC Building payment application 7.**
319 **MOTION: To Approve Requisition EN-102248. The motion was made by 2nd**
320 **Council Daugherty with second by 1st Council Kissee.**
321 **Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent (Littlefield).**
322
- 323 **Requisition EN-102250 payable to Connect Construction Services in the amount of**
324 **\$46,187.42 for WMC Building – Retainage.**
325 **MOTION: To Approve Requisition EN-102250. The motion was made by 2nd**
326 **Council Daugherty with second by 1st Council Kissee.**
327 **Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent (Littlefield).**
328
- 329 **Requisition EN-102346 payable to Brown and Brown of Oklahoma in the amount of**
330 **\$29,093.00 for Workman Comp. Installment #6.**
331 **MOTION: To Approve Requisition EN-102346. The motion was made by 2nd**
332 **Council Daugherty with second by 3rd Council Kraus.**
333 **Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent (Littlefield).**
334
- 335 **Purchase Order PR-00063438 from Indigo Sky Casino in the amount of \$50,232.90**
336 **for pavement sealer and parking lot striping.**
337 **MOTION: To Approve PR-00063438. The motion was made by 2nd Council**
338 **Daugherty with second by 1st Council Kissee.**
339 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
340
- 341 **Quote: 2001223050313-03 from Presidio for Pure Storage FlashArray in the amount**
342 **of \$164,790.00.**
343 **MOTION: To approve Quote: 2001223050313-03. The motion was made by 1st**
344 **Council Kissee with second by Secretary Littlefield.**
345 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
346
- 347 **Quote: P85-07604-C9M350 from Pinnacle for Artic Wolf security/monitoring**
348 **services in the amount of \$145,637.23.**
349 **MOTION: To approve Quote: P85-07604-C9M350. The motion was made by 1st**
350 **Council Kissee with second by Secretary Littlefield.,**
351 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**
352
- 353 **Quote: P85-07650-Y0X6Y5 from Pinnacle for Cohesity in the amount of**
354 **\$283,266.19.**
355 **MOTION: To approve Quote: P85-07650-Y0X6Y5. The motion was made by**
356 **Secretary Littlefield with second by 3rd Council Kraus.**
357 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

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359 **Quote: P85-07692-J3S7D6 from Pinnacle for Imprivata in the amount of \$89,242.00.**

360 **MOTION: To approve Quote: P85-07692-J3S7D6. The motion was made by 3rd**

361 **Council Kraus with second by 2nd Council Daugherty.**

362 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

363

364 **Agilysys Agreement No: 20111007-BOR, Opportunity Number 966729 for**

365 **Professional Services in the amount of \$25,080.00.**

366 **MOTION: To Approve Agilysys Agreement No: 20111007-BOR, Opportunity**

367 **Number 966729 with change. The motion was made by Secretary Littlefield with**

368 **second by 3rd Council Kraus.**

369 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

370

371 **Agilysys Agreement No: 20111007-BOR, Opportunity Number 966732 in the**

372 **amount of \$37,190.00.**

373 **MOTION: To Approve Agilysys Agreement No: 20111007-BOR, Opportunity**

374 **Number 966732. The motion was made by Secretary Littlefield with second by 1st**

375 **Council Kissee.**

376 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

377

378 **MOTION: To proceed with Branco for the 110 Road Project. The motion was**

379 **made by 2nd Council Daugherty with second by 1st Council Kissee.**

380 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

381

382 **NEW BUSINESS: None Presented.**

383

384 **OLD BUSINESS: None Presented.**

385

386 **MOTION: To go into Closed Session at 6:56 P.M. made by 1st Council Kissee with**

387 **second by 3rd Council Kraus.**

388 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

389

390 **MOTION: To return to Open Session at 8:46 p.m. The motion was made by 2nd Council**

391 **Daugherty with second by 1st Council Kissee.**

392 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

393

394 **MOTION: Authorizing the General Manager to enter contract negotiations with ~~Capitol~~ *Capitol Gaming Capital***

395 **~~Gaming~~ Group pending legal review. The motion was made by 1st Council Kissee with**

396 **second by 2nd Council Daugherty.**

397 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

398

399 **MOTION: To approve Christmas Bonuses for employees and elected officials at**

400 **\$100.00 a month for twelve (12) months or 3% whichever is greater. The motion was**

401 **made by Secretary Littlefield with second by 2nd Council Daugherty.**

402 **Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.**

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404 **MOTION:** To adjourn at 8:48 p.m. The motion was made by 2nd Council Daugherty with
405 second by 1st Council Kissee.

406 Motion carried: 5 approved, 0 opposed, 0 abstained, 0 absent.

407

408 **ADJOURN**

409

410

411

412

413

Debbie Littlefield

Debbie Littlefield, Secretary

414

415

416

417

11-29-23
Date

Chris Samples

Chris Samples, Second Chief

11-29-23
Date