

ORIGINAL

EASTERN SHAWNEE TRIBE OF OKLAHOMA
REGULAR BUSINESS COMMITTEE MEETING

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Date of Meeting: Wednesday, April 10, 2024
Time of Meeting: 5:38 p.m.
Location of Meeting: Mahogany Room, Indigo Sky Casino, Wyandotte, OK
Invocation: Chief Glenna J. Wallace

CALL TO ORDER, ROLL CALL, DECLARATION OF QUORUM:

The Business Committee Meeting was called to order at 5:38 p.m. by 2nd Chief Chris Samples, with the following answering roll call: 1st Council Clint Kissee, 2nd Council Shawn Daugherty, 3rd Council Norma Kraus, and Secretary Kathie Kent. A quorum was declared by 2nd Chief Samples. The 2nd Chief Chris Samples and Chief Glenna J. Wallace were present. Treasurer Justin Barrett and Chief of Staff Chad Kelly were both on travel and called in remotely.

NEW ENROLLEES:

Name	Birth Year
Del Cielo, Emmie Nicole	2023
Jone-Tate, Nora Gale	2023
Kieltsch, Raelynn Mackenzie	2023
Martin, Ava Lynn	2023
Slater, Nadia Marie	2021

MOTION: To approve new enrollees. The motion was made by 2nd Council Daugherty, with second by 3rd Council Kraus.

Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent.

MINUTES:

MOTION: To approve the March 27, 2024, Business Committee Meeting minutes. The motion was made by 1st Council Kissee, with second by 2nd Council Daugherty.

Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent.

REPORTS:

CHIEF

Donation requests were taken care of beforehand by Chief Glenna J. Wallace. Director reports were mailed out, if no questions, Chief would like to read from one from the Wellness Center. We did a lot of community service this month. We hosted 1 drug awareness walk, the bloodmobile, a baptism in our pool and we hosted a hospice patient from Grove who wanted to swim one last time. The hospice patient was accompanied by three caretakers to assist him in the water. We were selected because we

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have a handicap lift for the pool. This is something we as Tribal members should be proud of.

The Business Committee received a written complaint about the Social Services being behind in reimbursements. Chief spoke with them, so as of today the 10th of April, Social Services is working on the 11th. They are well in their 30-day time frame. One of the issues, that Social Services has taken over the process of the W9's from vendors due to the new system. The vendors that are needing reimbursements need to make sure they have signed and sent back a W9 form to the Eastern Shawnee Tribe of Oklahoma Social Services. So, with the renovations and new system in place they are caught up to where they should be.

It was brought to Chiefs attention by 2nd Council Shawn Daugherty that some of the FEMA trailer floors were in bad shape. New floors have been installed in 3 of the trailers.

People's Bank, very significant 1st Quarter Financial Summary (Jan., Feb., and March) NET Profit after Tax is \$1,573,444.72; this is almost the exact same as last year in the first quarter of \$1,566,601.41. About \$7000.00 higher from last year.

Total Assets finished at \$449,255,697; an increase of 10.8%.

Total Deposits are \$384,954,577; an increase of 8.8%.

Total Loans are \$355,143,885; an increase of 10.3%.

Loans over 30 days past due finished the quarter at an extreme low of 0.31%.

BOOK VALUE finished the quarter at \$2,678.79; this would equate to a value for ESTO shares of \$18,786,354.30; the original investment was \$1,534,597.20.

TOTAL CASH DIVIDENDS PAID TO ESTO: \$2,482,602. (This figure includes this year of \$298,052.50).

The Tribe has 7,013 shares which we paid on the average \$207.00 per share. We purchased shares at different times. Excellent report on the bank.

110 Road Update

We contracted with a company for the design of the 110 road and that company did the design and that was finished. Then the bid for the construction of the road was put out there, and we went with Branco Construction. During the design phase there is a pipeline that runs down close to the road, the company contacted the pipeline company was given clearance to start construction. Then the pipeline company comes back and says we are in pipeline area, and we can't continue to build. We contacted the design company and asked if they could provide us with some correspondence that they had with the pipeline company. They were able to send us that information and we were able to send it to the pipeline company. Three months later we get a brief email stating that, "engineering and operations has the easement staked and made the following conclusion". Construction just barely gets inside and encroaches on our easement, but it is far enough away from the

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88 pipeline that our concern has been not fully but adequately relieved. They can continue
89 construction as planned. I have reported all along about a grant for \$500,000.00, that we
90 have received. Then there was another grant that was a long time ago and so Chief
91 contacted three different people to see if anything came of that, she did receive a
92 commitment and approval for \$1,138,000.00. It may take a little time to receive it, but it
93 has been approved.

94

95 The Ohio trip, they are building an Interpretive Center at the Great Council Park. The
96 park is the former location of a building call Tecumseh's Motel. The motel has been torn
97 down, and the State of Ohio bought the land. The Governor grew up in that area, so he
98 wanted to build an Interpretive Center, to recognize the three federally recognized
99 Shawnee tribes. The building is almost finished and has cost about fifteen million dollars.
100 It's a three-story building and all three tribes have been involved since day one. We are
101 sponsoring a trip that the Business Committee approved to pay for. It will begin on
102 Thursday, June 6th, official information will be handed out later. But right now, it looks
103 like we will leave by 5:00 a.m., it's a 12-13-hour trip. It will be Thursday through
104 Monday; the tribe will pay for the bus transportation and for your motel rooms. The
105 people will be responsible for their own meals. There will be a couple of evenings that
106 other people are sponsoring picnics for us. We will need to turn in reservation numbers
107 May 17th, so if you're going you need sign up and there will be a \$100.00 deposit fee to
108 hold your place. Once you board the bus the \$100.00 will be refunded to you right away.
109 If you cancel after May 17th, or don't show up at the bus, your money will not be
110 refunded. The Grand Opening will be held on June 7th, then we will be going to see at
111 least 5 of the mounds that were inscribed into World Heritage status over the next couple
112 of days. If you have questions, please contact the Chief's office. Priority will be given to
113 the Eastern Shawnee tribal citizens and your spouse, and then to ESTO employees.
114 Employees will be paid as if they were working for those days. Then we will give other
115 Shawnee tribal members the opportunity, then if still not at capacity we will offer to non-
116 tribal citizens. Some people have chosen to drive, we will not pay for your gas, but will
117 pay for your room.

118

119 The elders housing duplexes up on 10C are filled with occupants and now have a waiting
120 list. We are going to have to start thinking about building more duplexes and consider a
121 different location. Chief's thoughts due to funding the tribe will receive more funds if we
122 build within the Eastern Shawnee jurisdiction. The McKibbon property on 120 road has
123 several acres. There is a section right across from Wyandotte Housing Authority. The
124 Wyandotte's extended the rural water there, and they are right across the road from this
125 parcel of land on the McKibbon property. It may not be too costly for rural water to be
126 ran across the road for this property. Chief said that we should think about that property
127 to build, not the entire McKibbon farm just that one section. We need to think about a
128 program to build maybe one or two a year and gradually add more.

129

130 Lost Creek bank erosion down by the Powwow grounds, that's on the ceremonial land.
131 The bank has eroded tremendously from all the flooding. We are eligible and have,

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133 applied for a bank stabilization, which the estimated cost would be about \$400,000. Kristi
134 Laughlin believes that money would come available this summer. We need to decide if
135 we want to do bank stabilization, so we don't lose more land to erosion.

136

137 Reminder of the Elders Dinner, on Friday, April 26th, we usually have about 100 people
138 or more. It is for elders 60 and over and will be held at the AOA building. We always
139 feature a family and this year it will be the Tomahawk Kissee family. Chief went onto
140 say that 2nd Chief Chris Samples had agreed some time ago to give the program on the
141 Tomahawk Kissee family.

142

143 The second Annual Education Banquet will be held May 31st, and that will be held at the
144 AOA. That will begin with Junior High students, through college or those that have
145 graduated and/or used tribal monies to help them get their education. They can come and
146 show their appreciation and we can talk about our benefits and how they can help people
147 and how it's helped them.

148

149 Grants we have received over the past month; We received word that our Wellness
150 Center has received a 2-million-dollar grant. They will be adding a new weightlifting
151 room, the current weightlifting room will be turned into an exercise room. We will be
152 adding a second therapy pool, with a lift that will lower you into pool. It will make it
153 easier access for those that have problems getting up and down the steps. They will be
154 adding two changing restrooms which currently citizens have to use the public restrooms.
155 Also, a community room will be added which will include a sensory room. The Early
156 Learning Childhood Center is attached to the Wellness Center, so when we have children
157 with special needs, they will have access to bring them to the sensory room to better work
158 with them.

159

160 We also received word on the transportation grant for \$1,138,000.00. Also, a third grant
161 for this month called the Heritage Grant, it emphasizes genealogy. They emphasized the
162 Tomahawk Kissee Family last year. This is a \$20,000.00 grant to work specifically on
163 genealogy.

164

165 Just today we received word about Indian Health Service called the 105L Leasing
166 Program. We applied for that, and we were determined eligible we don't know the
167 amount we will receive but we received the information. Ordinarily it's somethings you
168 would receive through Clinics, but our wellness center will be offering the services that
169 we do, and they will pay for two years of leasing these services.

170

171 We had the celebration and observation of the Tecumseh's Solar Eclipse, about 100
172 people attended. Chief Wallace told the great story of Tecumseh's Eclipse. *(If you are
173 able listen to the story livestream, very interesting)*

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178 Graduation is coming up soon, we would like to know something about all our graduates,
179 from the young ones to our Seniors and on up through college. Send their information
180 and pictures so we can get them in the Shooting Star.

181

182 The Communication Director Annette Clark applied to the Walter Cronkite School of
183 Journalism for a week session and won it. We are so proud of her for this achievement.

184

185 Thanks to all the volunteers and everyone that made the Easter Egg hunt a great success,
186 we had many children and lots of eggs.

187

188 The wastewater sewer system issue. When the new houses were built in the Housing
189 Authority and the new Governmental Building being built our wastewater and sewer is
190 over capacity. It is over extended so we will have to do something about the issue. We
191 brought in company that did the original and they said it would cost over 3 million to add
192 to that system. The land we selected down by the 110 road is in the low area. The
193 company has stated that we need 50,000 gallons a day capacity. The place we selected
194 would only hold 20,000 gallons a day, and with the Government Building we need
195 12,000 gallons with the houses, we need more. If we leave it in this area, we would only
196 be gaining about 8,000 gallons more for future development. We think it is better to find
197 a new location rather than spend that amount of money to only gain an additional 8,000
198 gallons capacity. The company met with Chief, and the EPA department and they did a
199 walk-through of the area. They will be doing an analysis and come back with a
200 recommendation after studies of a new location. Hope everyone is in agreement that this
201 needs to be done.

202

203 This came to us today, SSBCI another program under the Treasury Department. This is
204 something we had signed up for, this stands for State Small Business Credit Initiative.
205 We had joined with the Cherokee Tribe and us four other tribes were going together on
206 this, Cherokee's being the leading sponsor. The Cherokee's have changed their minds as
207 to what they are going to do and have decided to file an application by themselves. We
208 will need to contact the other 3 tribes and see if they want to do something or if we want
209 to do something by ourselves. There is a possibility that this could mount up to a main
210 capital allegation of \$670,000., there is 3 other smaller categories with having a total
211 potential funding of \$910,812. There is rumor that the Eastern Shawnee Companies that
212 are pursuing the 8A companies, may have found some smaller companies they may like
213 to purchase. This could be something, this is something we do not want to drop.

214

215 Last, our new Director at the print shop has been doing some marvelous things. She
216 made a cup that has the pictures of all our Chief's since we received federal recognition
217 in 1939. We also have a book about the story of our corn that we will be printing, these
218 items will be for sale here and different places soon. If you are in need for gifts, or ideas
219 for your printing needs let's support our Eastern Shawnee Tribe print shop.

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RESOLUTIONS:

Resolution Number 041024-R-01 Authorizing the Eastern Shawnee Haven Program to submit a OVW FY 2021 Grants to Indian Tribal Governments Program Grant available through the Office on Violence Against Women.

THEREFORE, BE IT RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma does hereby wish to authorize the Eastern Shawnee Tribe Haven Program to submit funding request from the Office on Violence Against Women for an approximate amount of \$793,463. Funds will be used for the continuation of Haven’s already existing Transitional Housing Program (funded by the FY 21 OVW Grants to Indian Tribal Governments Grant) that supports the establishment, maintenance, and expansion of programs and services to assist all victims of domestic violence, sexual assault, stalking, and human trafficking. The 2024 OVW Grants to Indian Tribal Governments Program Grant is designed to build upon and extend current OVW programs funded in 2021. This would allow the 2024 grant to extend our current Transitional Housing Program and ensure continued care for victims for an additional 2 years. This is a “noncompetitive” 2-year grant opened to only OVW FY21 grantees. Normally, OVW grants are three-year competitive grants, however, because we received FY 21 funds, we are eligible for this 2-year noncompetitive option. Funds from this grant will be used to provide staffing, long term transitional housing assistance, and outreach and education. No matching funds are required.

MOTION: To approve Resolution Number 041024-R-01. The motion was made by 2nd Council Daugherty with second by 1st Council Kissee.

Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent.

Resolution Number 041024-R-02 Resolution to rescind Resolution 062012R-01 “Adopting the Gaming Laboratories International Standards GLI-21 for Client Server Systems”.

NOW THEREFORE BE IT RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma hereby wishes to Rescind Resolution 062012R-01 “Adopting the Gaming Laboratories International Standards GLI-21 for Client Server Systems” due to this standard now being included in the Eastern Shawnee Tribe of Oklahoma Gaming Ordinance in such a way it remains constantly updated to concur with the newest standards.

MOTION: To approve Resolution Number 041024-R-02. The motion was made by 3rd Council Kraus with second by 1st Council Kissee.

Motion carried: 4 approved, 0 opposed, 0 abstained, 1 absent.

Resolution Number 041024-R-03 Resolution to approve GMP Amendment #2 to the Design Build Agreement between the Eastern Shawnee Tribe of Oklahoma and Branco Enterprises, Inc.

NOW THEREFORE BE IT RESOLVED that the Business Committee of the Eastern Shawnee Tribe of Oklahoma hereby wish to approve the attached GMP Amendment #2

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268 to the Design Build Agreement between the Eastern Shawnee Tribe of Oklahoma and
269 Branco Enterprises, Inc. for the construction of the Shawnee Skies Event Center.

270 **MOTION:** To approve Resolution Number 041024-R-03. The motion was made by 2nd
271 Council Daugherty with second by 1st Council Kissee.

272 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

273

274 **Resolution Number 041024-R-04** Resolution Authorizing the Purchase of Land known
275 as Lost Creek Ranch – Beck Family Trust.

276 **NOW THEREFORE BE IT RESOLVED** that the Business Committee of the Eastern
277 Shawnee Tribe of Oklahoma does hereby authorize the purchase of Lost Creek Ranch
278 from the Beck Family Trust to include the following with the total purchase price not to
279 exceed \$21,000,000.00:

- 280 • +/- 1300 acres of land
- 281 • Improvements upon the land
- 282 • Farm equipment
- 283 • Machinery
- 284 • Cattle

285 **BE IT FURTHER RESOLVED** that the Business Committee of the Eastern Shawnee
286 Tribe of Oklahoma does hereby authorize Chief Glenna J. Wallace to execute all
287 documents relevant to the purchase.

288 **MOTION:** To approve Resolution Number 041024-R-04. The motion was made by 1st
289 Council Kissee with second by Secretary Kent.

290 **Motion carried:** 3 approved, 1 opposed, 0 abstained, 1 absent.

291

292 Discussion of the land purchase with tribal members in attendance of the BC meeting.
293 These are answers to questions or concerns that was discussed.

294

295 The land is said to be an exceptional piece of property. It's a total of +/-1300 acres and
296 improvements. In the acreage about 400 acres set off Hwy 60 and 900 acres set in the
297 Eastern Shawnee Tribal jurisdiction. It includes a Cemetery, and the Lost Creek and
298 Modoc creeks run through the property for about 3 miles. This will add to our land base
299 by about 50% and 35% is inside our Tribal jurisdiction. This land has been owned and
300 operated by the seller since 1979. A large portion does set in a flood plain, but this
301 should not affect ranching. The condition of the property has been maintained and is in
302 good condition.

303

304 This is a turnkey deal; it is the Lost Creek Cattle Company. It comes with all the
305 equipment, buildings, and cattle. The fences are in good condition in some areas and not
306 so good in other areas. A few including Clint Kissee, Trent Kissee, Chad Kelly, and
307 Chief has gone out and looked over all the property and equipment. They have done their
308 due diligence on the equipment and property. This property has a residence, 5 hay barns,
309 and 2 metal buildings. Trent Kissee a member of the Intertribal Agriculture Board did
310 mention that "land prices have escalated".

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313 There are approximately 500 head of cattle, along with all the cattle equipment, hay, and
314 a ranch hand to take care of the cattle currently. The seller has provided information on
315 the cattle business, he has one of the largest livestock in the area. He has crossbred cattle,
316 for over 46 years and has always advertised his product. The cattle market is
317 exceptionally high.

318

319 Currently we have not come up with any plans other than the purchase of the property.
320 We do know that we will need plans for the future of maintaining all the Eastern
321 Shawnee Tribal land and this property as well. Nothing has been discussed at this
322 moment. The Eastern Shawnee Tribe has never had a Land Management department.
323 We need a long-range plan, which we are a long way from now, but that is something
324 that we as Tribal members can be thinking about.

325

326 A lot of people have expressed their concerns over the hefty price tag on this investment.
327 The Business Committee, 2nd Chief and Chief are still sorting through and confirming a
328 few other items. The seller is set on his price and wants it paid in a lump sum, there was
329 really no negotiation. The property has been appraised; some may not agree. Even the
330 appraiser said, "this is not an average appraisal", he had never appraised anything of that
331 magnitude. There was nothing to compare it to in the area, and it was just the land that
332 was appraised.

333

334 This is a huge investment, but it is land. It is land that falls in our Tribal jurisdiction,
335 which we will never have an opportunity like this again. We still need to secure the
336 Financials and come up with long term plans. The one thing is Federal Funding is land
337 based so in the future, if our land base goes up then a good possibility our funding would
338 go up as well. We were given this opportunity, but we did have a deadline to meet and
339 that was May 1st. Maybe not in our lifetime but the land will be here for our kids and
340 grandchildren and those we haven't even seen yet, to do something of worth with it.

341

342 **REQUISITIONS:**

343

344 **Requisition EN-107223** in the amount of \$42,306.93 for Pelivan Transit/Grand Gateway
345 E.D.A., Invoice# 826 for February 2024.

346 **MOTION:** To approve Requisition EN-107223. The motion was made by 2nd Council
347 Daugherty with second by 3rd Council Kraus.

348 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

349

350 **Requisition EN-107280** in the amount of \$29,903.00 for Brown and Brown of Oklahoma,
351 Installment #9 Workers Compensation.

352 **MOTION:** To approve Requisition EN-106588. The motion was made by 2nd Council
353 Daugherty with second by 1st Council Kisse.

354 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

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357 **Requisition EN-107040** in the amount of \$1,004,222.93 for Branco Enterprises, Inc. For
358 pay application #3 for EW 110 road project.

359 **MOTION:** To approve Requisition EN-107040. The motion was made by 2nd Council
360 Daugherty with second by 3rd Council Kraus.

361 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

362

363 **NEW BUSINESS:**

364

365 NAGPRA Board, selected these Board members.

366 • Larry Kropp

367 • Janet Hansen

368 • Brett Barnes

369 • Zach Barnes

370 • Shawn King

371 • Don Enyart

372

373 **MOTION:** To approve the 6 nominations for the NAGPRA Board. The motion was made
374 2nd Council Daugherty with second by 1st Council Kissee.

375 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

376

377 **OLD BUSINESS**

378

379 Shawn King the Bison grant for \$56,000.00 came in and has been taken to Karen Allen,
380 CFO.

381

382 Tribal member Bud Enyart is requesting updates on all businesses started in the past 2
383 years. How much money they have made or losses, or new business or what businesses,
384 acquisitions, whatever they can report. The Business Committee will have a discussion on
385 this and come up with something for the next meeting.

386

387 **MOTION:** To go into Closed Session at 7:26 p.m. The motion was made by 2nd Council
388 Daugherty with second by 1st Council Kissee.

389 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

390

391 **MOTION:** To return to Open Session at 9:39 p.m. The motion was made by 2nd Council
392 Daugherty with second by 1st Council Kissee.

393 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

394

395 **MOTION:** To approve pay application #3 to CR Crawford in the amount of \$676,196.38.
396 We would make that approval contingent upon the Architect's approval of the pay

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398 application. The motion was made by 1st Council Kisse with a second by 2nd Council
399 Daugherty.

400 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

401

402 **MOTION:** To adjourn at 9:41 p.m. The motion was made by 3rd Council Kraus with
403 second by 2nd Council Daugherty.

404 **Motion carried:** 4 approved, 0 opposed, 0 abstained, 1 absent.

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406

407

408 **ADJOURN**

409

410

411

412 Kathie Kent, Secretary

Chris Samples, Second Chief

413

414 Kathie Kent

Chris Samples

415 Date 4-24-24

Date