

# QUAPAW TRIBE OF OKLAHOMA

P.O. Box 765  
Quapaw, OK 74363-0765

(918) 542-1853  
FAX (918) 542-4694

## Resolution No. 020518-A

### **A RESOLUTION AUTHORIZING SETTLEMENT NEGOTIATIONS WITH THE UNITED STATES TO RESOLVE PENDING LITIGATION IN THE U.S. COURT OF FEDERAL CLAIMS**

*WHEREAS, the Quapaw Tribe of Indians of Oklahoma (the O-Gah-Pah) is a federally recognized Indian Tribe and is governed by the Resolution Authorizing the Quapaw Tribal Business Committee to Speak and Act in Behalf of the Quapaw Tribe of Indians—known as the “Governing Resolution”—adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957; and*

*WHEREAS, the Quapaw Tribe asserts Tribal governmental jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833; and*

*WHEREAS, the Governing Resolution delegates authority to the Quapaw Tribal Business Committee to speak and act on the behalf of the Quapaw Tribe; and*

*WHEREAS, the Quapaw Tribal Business Committee is thus empowered and obligated to take necessary and appropriate actions to protect the rights and interests of the Tribe and its members, including but limited to prosecuting litigation; and*

*WHEREAS, litigation asserting breach-of-trust claims on behalf of the Tribe and its individual members is pending in the United States Court of Federal Claims, which is captioned and styled as the consolidated cases Goodeagle v. United States, No. 12-431L, Bear v. United States, No. 13-51X, and Quapaw Tribe of Oklahoma v. United States, No. 12-592 (collectively the “Quapaw Trust Litigation”), and which litigation has been the subject of extended settlement negotiations with the United States; and*

*WHEREAS, in a Joint Status Report filed on January 24, 2018, the parties reported to the judge presiding in the Quapaw Trust Litigation, the Honorable Thomas C. Wheeler, that they had made substantial progress toward concluding a complete settlement of the Quapaw Trust Litigation, but that certain key issues remain unresolved; and*

*WHEREAS, on January 30, 2018, following a Status Conference, Judge Wheeler entered an order referring the cases to the alternative dispute resolution (“ADR”) program of the Court of Federal Claims, and designated a settlement judge to assist the parties in concluding such settlement negotiations as quickly as possible; and*

*WHEREAS, the Tribal Business Committee and the lead plaintiffs in the Quapaw Trust Litigation have been advised and informed about the proposal made by the United States to resolve the monetary claims of the Quapaw parties, and about the progress of the settlement negotiations in general, and the Tribal Business Committee desires to memorialize its prior*

*approval of such pending proposals by the United States to resolve such litigation, and further to express its support for the ongoing ADR processes ordered by Judge Wheeler.*

**NOW THEREFORE, BE IT RESOLVED THAT** the Tribal Business Committee hereby approves and/or ratifies its prior approval of the confidential proposal made by the United States to resolve the Quapaw parties' monetary claims in the Quapaw Trust Litigation.

**BE IT FURTHER RESOLVED THAT** the Tribal Business Committee authorizes and/or re-authorizes the Tribe's participation in and support for the ongoing settlement negotiations, all of which remain subject to a judicial confidentiality order, and further authorizes and/or re-authorizes and directs the Chairman of the Business Committee to continue to lead and assist with such negotiations, in consultation with the members of the Business Committee.

**BE IT FURTHER RESOLVED THAT** the Tribal Business Committee hereby expresses its strong support for the ADR process directed by Judge Wheeler, and further expresses that it is committed to take whatever formal actions are necessary to assist with finalizing and approving a settlement of the Quapaw Trust Litigation, and to do so as expeditiously as possible, if final terms can be reached by the parties through the ADR process and otherwise.

#### CERTIFICATION

The foregoing resolution of the Quapaw Tribal Business Committee was presented and duly adopted through an electronic/telephonic vote of the members of the Business Committee on February 05, 2018, with a vote reflecting 5 yes, 0 no, 0 abstaining, and 1 absent, 1 vacant.

  
\_\_\_\_\_  
John L. Berrey, Chairman  
Quapaw Tribal Business Committee

  
\_\_\_\_\_  
Tamara Smiley-Reeves, Secretary-Treasurer  
Quapaw Tribal Business Committee

**DOCUMENTATION OF AN ELECTRONIC - PHONE POLL**

**DATE:** February 5, 2018

**REQUEST FOR PHONE POLL:** QTBC Chairman, John Berrey

**CONDUCTED BY:** Hanan Matthews, Business Committee Clerk

**SUBJECT MATTER:** To approve Resolution 020518-A authorizing settlement negotiations with the United States to resolve pending litigation in the U.S. Court of Federal Claims

<b>NAME/POSITION</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>REMARKS</b>
John Berrey, Chairman	<b>X</b>				Via Email 02/05/18 10:57 am
Vice-Chairman					VACANT
Tamara Smiley-Reeves Sec./Treas.	<b>X</b>				Via Email 02/05/18 10:55 am
Ranny McWatters, Member				<b>X</b>	NO RESPONSE
Zack Turley, Member	<b>X</b>				Via Email 02/05/18 11:06 am
Marilyn Rogers, Member	<b>X</b>				Via Email 02/05/18 11:11 am
T.C. Bear, Member	<b>X</b>				Via Email 02/05/18 12:07 pm

**RESULTS: 5 YES; 0 NO; 0 ABSTAIN; 1 ABSENT; 1 VACANT. MOTION PASSES.**

**CERTIFICATION**

Approved by the Quapaw Tribal Business Committee  
On February 5, 2018 with a vote reflecting  
**5 yes; 0 no; 0 abstaining; 1 absent; 1 vacant.**

# QUAPAW TRIBE OF OKLAHOMA

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## Resolution No. 021218-A BUREAU OF INDIAN AFFAIRS – ROADS PRIORITY LIST FY 2018-2022

**WHEREAS**, the Quapaw Tribe of Oklahoma Business Committee is the duly recognized governing body of the Quapaw Tribe; and

**WHEREAS**, the Quapaw Tribe Business Committee is responsible for promoting the health, safety, education and general welfare of all Tribal Community members; and

**WHEREAS**, the Quapaw Tribe Business Committee has the authority to promulgate ordinances, resolution, institute regulations and consider various legal matters that fall within the authority of a federally recognized Indian Tribe; and

**WHEREAS**, the Quapaw Tribe Business Committee has the authority to promote general welfare of the community by regulations, the conduct of trade, and the use and disposition of property upon the reservation; and

**WHEREAS**, the Quapaw Tribe Business Committee has identified its Tribal Priority list per the Federal Register, 25CFR, section 170.420.

**THEREFORE BE IT RESOLVED THAT**, 25% of the yearly construction funds are to be allocated to Roads Maintenance and the Tribal roads that are to be included in funding are:

Project 1 – BIA Route 0121, Sections 010 (1.8 miles) S680 Road: This project includes the remainder of S680 between I-44 and E50 Rd. grade, drain and pave 1.8 miles of an existing gravel road. The project is designed.

Project 2 – BIA Route 0118, Section 010-020 (0.3 mile): This project includes grade, drain, and paving of Quapaw Tribe administration parking lots.

Project 3 – BIA Route 0117, Sections 010-090 (1.3 miles): This project includes grade, drain, and paving of Quapaw Tribe Pow-Wow Grounds Roads.

Project 4 – BIA Route 0214, Sections 010 (0.2 mile): This project includes grade, drain, and paving of Three State Monument Road, Ottawa County, OK/Cherokee County, KS.

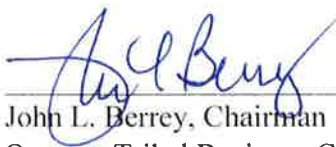
Project 5 – BIA Route 0132, Section 010 (0.1 mile): This project includes grade, drain, and paving of current Quapaw Substance Abuse Services parking lot in preparation for Marshal's services to move into existing building after remodel.

Project 6 – Road Maintenance: This project can include any eligible road maintenance activities per 25 CFR Chapter 1 Appendix A to Subpart G on existing tribal inventoried facilities.

Project 7 – Design and reconstruction of BIA Route 0188 Sections 010-050 (E 60 Rd between S670 Rd and State Line Road), and the three WPA bridges 08161, 6446, and 17689 along that 3.4 mile route. “Community Project” in coordination with Ottawa County District 1 Commissioner’s office and Civil Engineering Department at Oklahoma State University.

**CERTIFICATION**

The foregoing resolution of the Quapaw Tribe of Oklahoma was presented and duly adopted through an electronic/telephone poll of the Quapaw Tribal Business Committee on February 12, 2018, with a vote reflecting 6 yes, 0 no, 0 abstaining; and 0 absent. 1 vacant



John L. Berrey, Chairman  
Quapaw Tribal Business Committee



Tamara Smiley Reeves, Secretary/Treasurer  
Quapaw Tribal Business Committee

**DOCUMENTATION OF AN ELECTRONIC - PHONE POLL**

**DATE:** February 12, 2018

**REQUEST FOR PHONE POLL:** QTBC Chairman, John Berrey

**CONDUCTED BY:** Hanan Matthews, Business Committee Clerk

**SUBJECT MATTER:** To Approve Resolution 021218-A the BIA Roads Priority List FY 2018-2022

<b>NAME/POSITION</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>REMARKS</b>
John Berrey, Chairman	X				Via Email 02/12/18 8:13 am
Vice-Chairman					VACANT
Tamara Smiley-Reeves Sec./Treas.	X				Via Email 02/12/18 8:26 am
Ranny McWatters, Member	X				Via Email 02/12/18 10:04 am
Zack Turley, Member	X				Via Email 02/12/18 9:12 am
Marilyn Rogers, Member	X				Via Email 02/12/18 8:54 am
T.C. Bear, Member	X				Via Email 02/12/18 9:44 am

**RESULTS: 6 YES; 0 NO; 0 ABSTAIN; 0 ABSENT; 1 VACANT. MOTION PASSES.**

**CERTIFICATION**

Approved by the Quapaw Tribal Business Committee  
On February 12, 2018 with a vote reflecting  
6 yes; 0 no; 0 abstaining; 0 absent; 1 vacant.

# QUAPAW TRIBE OF OKLAHOMA

P.O. Box 765  
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## RESOLUTION NO. 021718-A

### A RESOLUTION AUTHORIZING AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR 2018 COORDINATED TRIBAL ASSISTANCE SOLICITATION GRANT PROGRAM

**WHEREAS**, the Quapaw Tribe of Oklahoma is a federally recognized Indian Tribe and is governed by a Governing Resolution that was duly adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957; and

**WHEREAS**, the Governing Resolution delegates authority to the Quapaw Tribal Business Committee to speak and act on behalf of the Quapaw Tribe; and

**WHEREAS**, the Quapaw Tribal Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Tribe in all matter; and

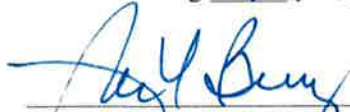
**WHEREAS**, the Quapaw Tribal Business Committee recognizes the need to develop and enhance operation of the Tribal justice system; and


**WHEREAS**, the Quapaw Tribal Business Committee asks the U.S. Department of Justice for a favorable review of the of the tribe's CTAS application for funding for the COPS public safety and community policing tribal resources grant program – hiring and equipment/training purpose area, the OVW tribal grants program purpose area, and the OJJDP juvenile tribal healing to wellness courts program area.

**NOW THEREFORE BE IT RESOLVED** that the Quapaw Tribal Business Committee does hereby authorize the submission of an application to the U.S. Department of Justice for the Fiscal Year 2018 Coordinated Tribal Assistance Solicitation Grant Program.

### CERTIFICATION

The foregoing resolution of the Quapaw Tribe of Oklahoma was presented and duly adopted at the regular meeting of the Quapaw Tribal Business Committee on January February 17, 2018, with a vote reflecting 6 yes, 0 no, 0 abstaining, and 0 absent. 1 vacancy

  
\_\_\_\_\_  
John L. Berrey, Chairman  
Quapaw Tribal Business Committee

  
\_\_\_\_\_  
Tamara Smiley-Reeves, Secretary Treasurer  
Quapaw Tribal Business Committee



Quapaw Tribe Business Committee

Community Building

Regular Meeting

February 17, 2018

**CALL TO ORDER:** 9:00 a.m.

**INVOCATION:** Ranny McWatters

<b><u>ROLL CALL:</u></b>	John Berrey, Chairman	Present
	Vice-Chairman	Vacant
	Tamara Smiley-Reeves, Sec. /Treas.	Present
	Marilyn Rogers, Member	Present
	T.C. Bear, Member	Present
	Ranny McWatters, Member	Present
	Zack Turley, Member	Present

**DECLARATION OF QUORUM:** Announced by QTBC Secretary Treasurer, Tamara Smiley-Reeves.

**READING, CORRECTION AND APPROVAL OF MINUTES AND PHONE POLLS:** The minutes of the December 16, 2017 QTBC meeting and phone polls were presented for approval. **Motion by QTBC Member, Marilyn Rogers. Seconded by QTBC Member, Ranny McWatters. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.**

**TREASURER'S REPORT:** The Treasurer's Report for the period ending January 31, 2018 was submitted to the QTBC in accordance with standard accounting procedures. **Motion by QTBC Member, TC Bear. Seconded by QTBC Member, Zack Turley. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.**

**PROGRAM REPORTS:** Written Program Reports were submitted in the QTBC packets for approval. **Motion by QTBC Member, Marilyn Rogers, to accept the program reports as presented. Seconded by QTBC Member, TC Bear. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.**

**PROGRAM DIRECTORS:**

**Jani Cummings** (DCR) – The first quarter of 2018 was a soft quarter due to the holidays and weather. Legends Bar recently unveiled the new Downstream house made brewery, DCBC. In February Downstream completed the remodeling of the employee cafeteria. Downstream also recently hired a new HR director.

**Anna McKibben** (PR) – Anna extended the deadline date for the newsletter to include the candidate letters. She also administrates the Quapaw website and official Facebook page. She announced that the Quapaw Tribe won industry of the year from the City of Miami.

**Jami Rodgers** (CHR) – Jami and Kim worked together and received a \$15,000 Good Health and Wellness Grant. On Thursday she attended the NEO Health Fair. Jami also mentioned that a new fitness challenge has begun and will run until May.

**Krista Pierce** (Education) – Spring funding ends on February 28<sup>th</sup>. She has been busy helping students apply for FASFA. In January she attended the NEO Scholarship Fair. They gave out some good advice on what to get started on before you graduate high school. She also spoke to the BC about an offer from Bryan University from Springfield, MO. **The Business Committee was a little skeptical of what they would like in return and asked to review the offer.**

**Kim Messer** (Grant Writer) – Kim has submitted 4 grants and has received a grant for \$750,000 to build 22 new elder housing units, but we are now waiting for the 5-15 loan from USDA. There was open discussion about what will be different and why it took so long.

**Chairman explained that there was a mistake made on a survey done next door, to where the additional elder housing units will go, and therefore it put all our applications to put that land in trust on hold.**

**Chairman Berry mentioned that Kim speak with tribal member, Stacia Forbis and Anna McKibben about forming a language program for our youth.**

**JoOuita Smith** (CCDF) – JoOuita thanked the BC for getting her family a room at Downstream after her house fire. **Chairman suggested she speak with Tom Stelle in housing to see what he can do.** She mentioned that the CCDF program has been putting on trainings for local providers, so they can get their mandatory hours. She thanked the Fire/EMS for the cleaning spray that they are using at the daycare to help stop kids and staff from getting sick. The daycare is at full capacity and there are a lot of babies on the waiting list.

#### **SUBCOMMITTEES:**

Elder's Committee – **John asked that if the elders would get with Tena Smith she can help them plan a trip.** Grace Goodeagle said that the elder's committee will be meeting soon and will present at the next BC meeting.

#### **GUEST:**

Linda Davis – **Motion by QTBC Secretary/Treasurer, Tamara Smiley-Reeves to make a donation of \$1,000 to Linda Davis and her daughter, \$500 each. Seconded by QTBC Member, Marilyn Rogers. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.**

**UNFINISHED BUSINESS:**

Steve Ward and John Berrey spoke briefly on tribal litigations.

DDA – John spoke briefly on what the purpose of the Downstream Development Authority is. It is to protect the tribe’s sovereign immunity. So, people can’t sue the tribe through tort claims. It is made up of BC members. It is the same thing that Quapaw Casino Authority (QCA) does for Quapaw. It was decided that Tamara Smiley-Reeves, John Berrey, Kent Jones, and Eric Bohn would help Quapaw Casino. This is just a temporary solution to get them up to code and up to date.

**NEW BUSINESS:**

Resolution 021718-A CTAS – Motion by QTBC Sec./Treas., Tamara Smiley-Reeves, to approve Resolution 021718-A as presented. Seconded by QTBC Member, Zack Turley. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.

**OPEN FORUM:**

Linda Davis shook the hands of the BC and thanked them for their donation to the Bluejacket Youth Group.

**DONATIONS:**

Thomasina Goodeagle – Motion by QTBC Sec./Treas., Tamara Smiley-Reeves, to donate \$500, 5 Pendletons, and 20 goody bags. Seconded by QTBC Member, Ranny McWatters. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.

QHS After Prom – Motion by QTBC Member, Ranny McWatters, to donate \$1,000. Seconded by QTBC Member, Marilyn Rogers. Vote: JB, yes; TSR, yes; MR, yes; TB, yes; RM, yes; ZT, yes; (6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant). Motion passes.

**CLOSED SESSION:** 10:40 am

**RETURN TO OPEN SESSION:** 12:23 pm

**TOPIC(S):**

1. Spoke with an employee about an appeal and the BC spoke with the tribal administrator about HR handling disciplinary actions more professionally.
2. Spoke with Eric Bohn about tribal member claims and social services and education benefits.
3. Spoke with RWI and the BC concurs with some of their recommendations, regarding tribal member insurance appeals.

**BENEDICTION:** TC Bear

**ADJOURNMENT:** 12:25 pm

/s/ Tamara Smiley-Reeves

Tamara Smiley-Reeves, Sec./Treas.

Minutes Prepared In Accordance with

Robert's Rules of Order

[Ronor (10<sup>th</sup> Ed.) PG 451, 1. 25-28

By: /s/ Hanan Matthews

Quapaw Tribal Business Committee Clerk

**CERTIFICATION**

Approved by the Quapaw Tribal Business Committee

On March 17, 2018 with a vote reflecting

6 yes, 0 no, 0 abstaining, 0 absent, 1 vacant.

# QuAPAW TRIBE OF OKLAHOMA

P O. Box 765  
Ouopow, OK 74363-0765

(918) 542-1853  
FAX (918) 542-4694

## RESOLUTION NO. 022018-A

**A RESOLUTION AUTHORIZING THE PURCHASE OF RESTRICTED INTEREST IN LAND (SURFACE ONLY) LOCATED UNDER THE JURISDICTION OF THE QUAPAW TRIBE OF OKLAHOMA AND AUTHORIZE THE CHAIRPERSON OR AN AUTHORIZED REPRESENTATIVE TO EXECUTE THE PURCHASE ON BEHALF OF THE QUAPAW TRIBE OF OKLAHOMA**

**WHEREAS**, the Quapaw Tribe of Oklahoma is a Federally recognized Indian Tribe and is governed by a Governing Resolution that was duly adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957; and

**WHEREAS**, the Governing Resolution delegates authority to the Quapaw Tribal Business Committee to speak and act on behalf of the Quapaw Tribe; and

**WHEREAS**, the Quapaw Tribal Business Committee is thus empowered and obligated to transact Tribal Businesses and otherwise speak or act on behalf of the Tribe in all matters; and

**WHEREAS**, the Quapaw Tribal Business Committee supports the purchase of an undivided 5/36 restricted interest outright from [REDACTED] by the Quapaw Tribe of Oklahoma. [REDACTED] agreed to the price of [REDACTED] for [REDACTED] undivided 5/36 restricted interest outright in the surface only. Said land is described as:

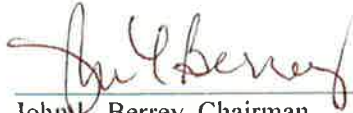
**Metes and Bounds: SSWSE Less a 3-acre tract lying West of the NEO Railroad in Section 19, Township 29 North, Range 23 East, Ottawa County, OK, containing 17 acres m/1, Surface Only. John Beaver 920 S 150-C**

**NOW THEREFORE BE IT RESOLVED** by the Business Committee of the Quapaw Tribe of Oklahoma that the Tribal Chairperson or an authorized representative of the Quapaw Tribe is hereby authorized to negotiate and execute the purchase of Restricted Interest in land (Surface Only) located under the jurisdiction of the Quapaw Tribe of Oklahoma, and to promote tribal self-determination and such other uses as may be determined.

**BE IT FURTHER RESOLVED** that the Quapaw Tribe of Oklahoma request that the Secretary of the Interior or an authorized representative approve said purchase.

**CERTIFICATION**

The foregoing resolution of the Quapaw Tribe of Oklahoma (O-Gah-Pah) was presented and duly adopted through a telephone/electronic poll of the Quapaw Tribal Business Committee on February 20, 2018, with a vote reflecting 6 yes, 0 no, 0 abstaining, and 0 absent. *vacant*



John L. Berrey, Chairman  
Quapaw Tribal Business Committee



Tamara Smiley Reeves, Secretary/Treasurer  
Quapaw Tribal Business Committee

DOCUMENTATION OF AN ELECTRONIC - PHONE POLL

**DATE:** February 21, 2018

**REQUEST FOR PHONE POLL:** QTBC Chairman, John Berrey

**CONDUCTED BY:** Hanan Matthews, Business Committee Clerk

**SUBJECT MATTER:** To approve Resolution 022018-A that supports the purchase of an undivided 5/36 restricted interest outright from [REDACTED] by the Quapaw Tribe of Oklahoma. [REDACTED] agreed to the price of [REDACTED] for [REDACTED] undivided 5/36 restricted interest outright in the surface only.

Said land is described as: **Metes and Bounds: SSWSE Less a 3-acre tract lying West of the NEO Railroad in Section 19, Township 29 North, Range 23 East, Ottawa County, OK, containing 17 acres m/1, Surface Only. John Beaver 920 S 150-C**

NAME/POSITION	YES	NO	ABSTAIN	ABSENT	REMARKS
John Berrey, Chairman	X				Via Email 02/21/18 2:53 pm
Vice-Chairman					VACANT
Tamara Smiley-Reeves Sec./Treas.	X				Via Email 02/21/18 2:13 pm
Ranny Mcw atters, Member	X				Via Email 02/21/18 4:05 pm
Zack Turley, Member	X				Via Email 02/21/18 2:22 pm
Marilyn Rogers, Member	X				Via Email 02/21/18 2:45 pm
T.C. Bear, Member	X				Via Email 02/21/18 2:52 pm

**RESULTS: 6. YES; 0 NO; 0 ABSTAIN; 0 ABSENT; 1 VACANT. MOTION PASSES.**

**CERTIFICATION**

Approved by the Quapaw Tribal Business Committee  
On February 21, 2018 with a vote reflecting  
6. yes; 0 no; 0 abstaining ; .0 absent; 1 vacant.