

# Minutes

## Quapaw Nation Business Committee

Community Building

Tuesday, April 23, 2019

- I. *Call to Order:* 903
- II. *Invocation:* John Berrey, Chairman
- III. *Roll Call:*
  - John Berrey, Chairman Present
  - Callie Bowden, Vice-Chairman Present
  - Tamara Smiley-Reeves, Secretary-Treasurer Present
  - Marilyn Rogers, Member Present
  - T.C. Bear, Member Present
  - Zack Turley, Member Present
  - Lloyd Buffalo, Member Present
- IV. *Declaration of Quorum:*
  - Announced By: Tamara Smiley-Reeves, Secretary-Treasurer.
- V. *Reading, Correction & Approval of Minutes & Phone Polls:* The Minutes of the March 16, 2019, QNBC meeting and phone polls were presented for approval.
  - Motion by Marilyn Rogers, Member.
  - Correction by Lloyd Buffalo, Member.
  - Seconded by Callie Bowden, Vice-Chairman.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes;  
(7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.
- VI. *Approval/Disapproval of Treasurer's Report:* The Treasurer's report for the period ending March 31, 2019, was submitted to the QNBC in accordance with standard accounting procedures.
  - Motion by Zack Turley, Member.
  - Seconded by T.C. Bear, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes;  
(7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.
- VII. *Approval/Disapproval of Program Directors Reports Submitted:*
  - Motion by Lloyd Buffalo, Member.
  - Seconded by Marilyn Rogers, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes;  
(7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.
- II. *Directors Report:*
  - Sherrie Nida- JB Fitness Center
    - We have 1024 members. Last three months, we have added 82 new members. We had 126 renewals. We had 112-day pass in the last three months. High of 51 and low 31 during the day. Winter is our busiest months due to weather. The last 3 months, we have had 3 basketball teams. Two weeks ago, we had Quapaw prom and it was held for the fourth year. We are getting the gym ready for the education department for the vocational-tech and career day for the middle school and high

school. Next few days are going to be busy. Even though the basketball court is closed, people can still utilize the weight area and exercise area. We will be attending downstream health fair on May 8th. We just wrapped up the weight loss challenge. We had 41 participants. 21 came back and finished. We had a total of 180 lbs. loss. Woman 125 and 55 for men. We didn't get a grant. We were fishing around for prizes. We gave out prizes to the winners. Thank the DDA for donating the t-shirt and Quapaw casino. It worked out perfect and look forward to next year.

- Andy Rodgers- Quapaw Service Authority
  - Start out with Quapaw food services. We ran 350 lbs. through the smokers. Production is ramping up. Working with new customers each week. That covers Quapaw food services. For Quapaw services. We are operating in 5 sites. This amount has double with the new dump trucks. We are currently running 20 dump trucks. Increase our work and up our days. We are working 6-10's. we are expecting more funding this summer for two large projects. The bird dog project. On the building projects, we are managing the correction center and elders housing. We have 46 peoples working on the environmental sites. We finished 680 rd. Finished the paving construction. The cattle company. The current inventory beef and bison products to casino and outside customers. The feeding facility steady rotation of animals. 11,987 cattle being feed. Stored 24 ton of corn and ran out in February. We have been doing some tours of groups. Finished up the food waste study. 12 students from Simpson will be here for 2 weeks. FFA competition this week during the meat grading. We are also planning SDA conference on August 19-20 at Downstream Casino. We hosted native American agricultural fun board and gave them a tour. Bison count 100 adults. 3 trophies. A lot of good things going on.
  - Betty Gaedkte: What is the bird dog project?
  - Andy Rodgers: It is not one of the biggest projects we have done. We got to start upstream. It is going to be a big challenge and big job.
  - John Berrey: It is a gigantic base. We were on the list and we got taken of the list 2 weeks. It sounds bad but we are doing everything right. We have triple the amount of money to clean up. We have received 40 million for 2019. These guys are working so hard. We are only people working on Tar Creek. We are one of the most efficiently run superfund site. With the bird dog site, we are hoping one day it will be a solar farm.
- Jeff Reeves- EMS/Dept. of Public Safety
  - Call volume has been down all over the county, which is a good thing. One of the main things, we are finishing up a fire one class. We have another week on it. We had record guardians of the heart conference in February. We had 608 register. We held it at downstream, except we did an active shooter class at pitcher. It lasted all day. We are trying to get on a pension retirement system. We are trying to get into that system to provide a good retirement for our firefighters. Hopefully that will come through. We are working on a couple of grants. One is AFG. We just got noticed from Kim that the Tribal homeland security grant to be submitted. I asked some of the law enforcement guys to join me today. We have a couple new officers. Josh to introduce them. Also, Taylor Barnes just completed his

certification. Officer Stogner to talk about a new program, a junior law enforcement program.

- Josh Lewis- On the new officers, one is not here right now. Gabriel Dickinson and Taylor Barnes. He just finished basic training at academy. We will send him for the tribal side. He will be gone for a week and be able to hit the ground running. On the Department Public Service Youth Academy. Those that are interested in public service. The program we are looking at putting together now. It will give them an opportunity to get experience in law enforcement and EMS. To see if this is something our youth want to do as a career.
- Steve Stogner- The youth academy in grove was based on our citizens academy. It was highly successful. We pulled back on some of the graphic nature of things. We made more activities to keep the kids involved. We are going to provide youth an inside look at careers in department public safety. We are going to target Quapaw youth, tribal youth, and non-native youth. For the physical training aspect, it is difficult to do. The types of training that we will try to implement with the kids are traffic stops, domestic abuse, drug investigations, basically anything that we do in the law enforcement capacity. We will get feedback from them on what they want to learn more of. On the fire and ems side, I would like to give the firefighters a form and show them what they do. We want to the kids to experience and use the equipment. The big thing on the EMS side, I would like to happen is for them to get a CPR certification. Something tangible to take with them. One of the big things, I would like to do is implement the Indian Country law block. Especially for the nonnatives, it can be very confusing for understanding Indian country law. When it comes to the uniforms, I had a strict policy. As far as faculties, I will need a classroom, range, track and wrestling room for defensive tactics. There are general rules. The graduation ceremony at a venue fitting their accomplishment. We will honor top graduate and top shooter. On the funding request, the initial cost is the duty gear and blue gun for 30 students.
- Tamara Smiley-Reeves: What ages group are you looking at?
- Steve Stogner: Sophomore to Seniors. After the school year. Target number is 30 students. Application process on the DPS Website. Background check will be done. We have to do that because of the sensitive subjects discuss. This is not an endangered youth; this is a community leader project.
- Tamara Smiley-Reeves: What kind of background check?
- Steve Stogner: Just a record check to make sure they are not sex offenders, violent offenders or anything like that.
- John Berrey- This is a lot to digest and we can do a phone poll later. It is a good thing.
- Tina Woods-Quapaw Counseling Services
  - Our census is about 100. We are up on the substance abuse side to 25-30 a month. We are doing DUI school, as fast as we do assessments. I am still working on getting us certified on the behavioral health. We have CARF till the end of the July. Half the staff is going to a conference next week. I have an audit with the state tomorrow. Still working with the behavioral

health side. We are training people. We are doing good.

- Patti Rice- Social Services
  - I wanted to touch on a thing for the monthly reports. As I process applications for vendors for the burial assistance, it doesn't mean that we had that many deaths. I am now the administrator of the end of life policy. We have only received 1200 applications for listing a beneficiary. They still get moneys for the end of life and pay to the funeral home. If they don't list a beneficiary, no moneys go to children. It will pay funeral expenses, and nothing will go out. We are starting to meet once a month now.
- Eric Bohn- Accounting
  - March marked 6 months through our fiscal year. For march we had \$3.54 million revenue. \$1.75 million for expenses. \$10.85 million totals for the year. Tracking right on there. Tribal member insurance expenses \$314,000. Total for the year about \$2 million. Social services for March was \$250,000, bringing it up \$1.1 million. Total education expenses with finishing up spring semester funding to \$409,000. Tribal enterprises, we had \$300,000 distribution. Bringing our total for the year to \$1.1 million. With Ed report and them ramping up. Looking forward to that. Summer we benefit the most.
  - John: Could you talk about the issues with the tribal insurance and the problems we have been dealing with.
  - Eric: it is continuing to be a work in progress. We have made some changes in the past month. We request a change on March 18<sup>th</sup>. Suspended things for 3.5 weeks. It was very frustrating. We are catching up. We did extra check runs and getting caught up. We have a schedule conference call every Friday morning. Last Friday morning, claims are down significantly. Just because they say they are processed. Doesn't mean they are processed because they are waiting for more information. In realty, it is in a hold mode. We have created positive changes.
  - Tamara: The Medicare issue has been resolved?
  - Eric: Over 65 years of age. Remember we have 3 entity plans. Employee plans and tribal plan. When UMR took effect January 1. With the electronic file where sent to Medicare, included in that was the tribal member plan. So when Medicare received that information, there is an employee and tribal member plan and is primary coverage. Medicare are denying everything. It took time to get this information. UMR put a team on it. They called Medicare and clear post 65 members. It took a week. They did jump on it and cleared it. If you are getting an EOB and denying a claim. Call your provider to resubmit. You should be getting a letter in a week. That is for you and your records. This plan is a limited benefit plan. This has been frustrating for me and my phone has blown up. I feel that we are heading in the right direction. Working as fast as I can.

#### **VIII.** *New Business:*

- Resolution 042319-A: Sexual Assault Awareness Month Proclamation
  - Motion by Tamara Smiley-Reeves, Secretary-Treasurer.
  - Seconded by T.C. Bear, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)

- Motion Passes.
- Resolution 042319-B: Authorizing an Application to the US Dept. of Interior: Bureau of Indian Affairs, Office of Indian Energy and Economic Development
  - Motion by Lloyd Buffalo, Member.
  - Seconded by Zack Turley, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.

**IX.** *Donations:*

- Wendy Wyrick- Gold Gloves Travel Softball Team- \$40 to \$4,000
  - No motion.
- Steve Owens- Meat Donation- \$128
  - Motion by Tamara Smiley-Reeves, Secretary-Treasurer.
  - Seconded by Lloyd Buffalo, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.
- Britney Briton- Victory Basketball- \$1,000
  - Motion by Callie Bowden, Vice-Chairman to donate \$500.
  - Seconded by Marilyn Rogers, Member.
  - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)
  - Motion Passes.
- Quapaw Nation American Church- Meat Donation- \$381
  - No motion.
- Debbi McKibben- Meat Donation for Quapaw Public School Reunion- \$319
  - No motion.
- Dylan Weaver- Summer Baseball- \$1,000
  - Need more information.
- Hannah Berryman-
  - 3 Tribal Flags- \$140
    - Motion by T.C. Bear, Member.
    - Seconded by Marilyn Rogers, Member.
    - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)
    - Motion Passes.
  - Tribal Monument- \$2,500
    - Motion by T.C. Bear, Member.
    - Seconded by Marilyn Rogers, Member.
    - Vote: JB, yes; CB, yes; TSR, yes; MR, yes; TB, yes; ZT, yes; LB, yes; (7 yes, 0 no, 0 abstaining, 0 absent)
    - Motion Passes.
- Baxter Springs Golf Course- \$250
  - Quapaw Casino will donate.
- Emily Burkybile- Meat Donation-\$797.50
  - No motion.

- Wyatt Chuckluck- Navajo Mission Trip- \$300
  - No motion.

**X. Open Forum:**

- Betty Gaedtke: Pattie Billings and I are here bearing gifts. We have been doing the Quapaw pottery classes in the studio. During the winter, this year we did a 3-month program. We went to Arkansas and dug up some clay. Right along the Missouri and Arkansas line. Where they have found a lot of head pots. We wanted to create pottery as close to ancient Quapaw pottery. Get the same color and that kind of thing. We did a 3-month class. The first class was digging the clay and processing it and cleaning it. After we did that, we let it sit for 6 weeks. The longer you let it set, the better it is. All the students made two pots. One they kept and one they donated to the tribe. Give it back to the funerals, if possible. We had two different kind. I want to present these to the tribe. That way if someone has a funeral and put one in. It is free. The pottery is one of the biggest things that makes us Quapaw.
- John Berrey: One of the things I wanted to bring up is Medical Marijuana. There are 180,000 people, who have signed up for medical marijuana. Yesterday the governor signed an amendment to bear arms. We need a tribal code that talks about medical marijuana. If you aren't a driving a truck, firefighter, EMT or Marshall, if you take a UA test and you have a card. If there are any exceptions. I don't know where we go with that, but some people have asked us to look at that. It seems to help a lot of people. We can look at the code and vote on it. Start with a code and go from there.
- Larry Mercer: Can you update us on the Arkansas project?
  - John Berrey: Yes, I can. A lot of us are participating. Met with the governor last Wednesday. We are spending minimum dollars getting ready with the exception that the revenue would be 30% higher than Downstream. Right now, it is hypothetical till we get the license. We are having the application prepared and they are opening it on May 1. We are completing the application. We are waiting for a resolution from Quapaw Casino Authority to make Jack Brill a member of the DDA. We held off on it. If we get the license, we can start construction and still get the money. Right now, we have Shane Ellick down there full time. Getting the site prepared. The expectation is that we will make about the \$80 million range down there. We would send a lot of the free cash that is available to the tribe. It would go to our services. It would help Eric stretch our money out. It is all hypothetical stage. We do have a logo. It is named after Saracen. As soon as we get to license, we should have the license by the 6<sup>th</sup> or 13<sup>th</sup> of June. The idea would be that the Downstream would manage it and save money on executives and systems. It is going to be a non-Indian commercial casino. The authority would be Arkansas Racing Commission. We haven't gotten their rules yet. They have asked use to provide our own minimal internal control standards. We are stripping out the archaic language. We are going to have a sports book, which we don't have in Oklahoma yet. We are hoping to lower our capital cost at Downstream and Saracen by several points. Our goal is to combine both. We are just waiting. We have meetings coming up in May. We just getting closer and closer to having a plan.

- John Berrey: Update on the lawsuit. We had a hearing on Friday. There is a group of tribal members, who has hired a lawyer, who has been promising them \$1.26 billion. The judge shut that down last Friday. The Department of Justice has agreed to our original settlement money and there is going to be extra money that is going to come. We asked the judge to separate the bear lawsuit. He is prepared to separate the bear case and let it move through appropriations committee on the house side. We have also asked the judge to allocate distribution for the Quapaw and Goodeagle. We are waiting for the order right now. We are waiting for the transcript from Friday. The Department of Justice, Barker, and the tribe has accepted the judge for allocation. Department of Justice has accepted the amount that we first settle for. So that means that there won't be a big increase. The judge pointed out that the people that signed up with Barker, would be paying the big chunk that they are going to get back to Barker. We had a positive meeting. The judge was pretty strict about what he wanted moving forward. We are just waiting. We are hoping that it will crank the speed up. We don't see the judge making changes from the distribution model. We will get a fairness hearing in June. Everyone can argue the distribution model then. The judge thinks the tribe needs to get all the money that have been put into it, which has been between \$10-\$12 million. He promised us that would be a fair distribution to the tribe. We are going to argue that our distribution is fair. We are waiting to see what barker is going to argue. We will know sometime this week of when the fairness hearing. We just got to see how it goes. Department of Justice has agreed to \$62.5 million for GoodEagle and Quapaw. Now that the judge has taken over the distribution.

**XI.** *Closed Session: 1111- 1159*

**XII.** *Benediction: Lloyd Buffalo, Member*

**XIII.** *Adjournment: 12*

/s/ Tamara Smiley-Reeves

Tamara Smiley-Reeves, BC Secretary/Treasurer

Minutes Prepared in Accordance of

Robert's Rules of Order

By: /s/ Heather Dismuke

Executive Secretary

#### **CERTIFICATION**

Approved by the Quapaw Nation Business

Committee on May 20, 2019 with a vote

reflecting 6 yes,    no,    abstaining,    absent.