

Minutes

Quapaw Nation Business Committee

Community Building & Zoom

Saturday, February 20, 2021

- I. Call to Order: 9:05 A.M.
- II. Invocation: Michell Newton, Member
- III. Roll Call:
 - Joseph Byrd, Chairman Present
 - Callie Bowden, Vice-Chairwoman Present
 - Guy Barker, Secretary-Treasurer Present
 - Michelle Newton, Member Present
 - Zack Turley, Member Present
 - Lloyd Buffalo, Member Present
 - Member Seat Vacant
- IV. Declaration of Quorum: Announced by Guy Barker, Secretary-Treasurer.
- V. Reading, Correction & Approval of Minutes & Phone Polls: The Minutes of January 16, 2021, Meeting and phone polls were presented for approval.
 - Motion by Zack Turley, Member
 - Seconded by Michelle Newton, Member
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
- VI. Approval/Disapproval of Treasurer's Report: The Treasurer's report for the period ending January 31, 2021, was submitted to the QNBC by standard accounting procedures.
 - Motion by Lloyd Buffalo, Member
 - Seconded by Callie Bowden, Vice-Chair
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
- VII. Approval/Disapproval of Program Directors Reports Submitted:
 - Motion by Callie Bowden, Vice-Chairwoman
 - Seconded by Guy Barker, Secretary-Treasurer
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
- VIII. Directors Report:
 - Jasmine Smith - Community Health Representative
 - Matt Harkness - Saracen Casino
 - Stuart Grayson - Downstream Casino & Resort
 - Kenny Anderson - Quapaw Casino
 - Brian Ross - Grants Department
 - Krista Pierce - Higher Education Department
 - Barbara Collier - Quapaw Nation Gaming Agency

Due to technical errors, some names and conversations were not acknowledged during the meeting.

- JoOuita Smith - O-Gah-Pah Learning Center
 - Eric Bohn - Chief Financial Officer
- IX. New Business**
- Purchase
 - Community Building Flooring Options - \$19,288
 - Motion by Guy Barker, Secretary-Treasurer
 - Seconded by Lloyd Buffalo, Member
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - EMS- New Fire Engine - \$185,119.00 Volkswagen Settlement Grant & \$178,104.31 General Fund
 - Motion by Callie Bowden, Vice-Chairwoman
 - Seconded by Michelle Newton, Member
 - Vote: 5 yes, 0 no, 1 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - Law Marshals - 9 2021 F150 SSV Patrol Vehicle w/ Lighting & Equipment - 2020 Cops Grant- \$494,018.00
 - Motion by Zack Turley, Member
 - Seconded by Guy Barker, Secretary-Treasurer
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - E 50 Rd & County Highway 137: 4-Way Stop Support Letter Approval
 - Motion by Lloyd Buffalo, Member
 - Seconded by Michelle Newton, Member
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - Resolution 022021-A: A RESOLUTION COMMITTING TO FUND MATCHING COSTS OF CONTRACT FOR VALUE ADDED PRODUCER GRANT FUNDED PLAN
 - Motion by Guy Barker, Secretary-Treasurer
 - Seconded by Callie Bowden, Vice-Chairwoman
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - Resolution 022021-B: A RESOLUTION AUTHORIZING A MANAGEMENT SERVICE AGREEMENT BETWEEN THE QUAPAW NATION AND CVMC MANAGEMENT SERVICES, LLC
 - Motion by Lloyd Buffalo, Member
 - Seconded by Guy Barker, Secretary-Treasurer
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.
 - Invitation to Consult about Cahokia with the University of Illinois - Letter for approval
 - Motion by Zack Turley, Member
 - Seconded by Lloyd Buffalo, Member
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.

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X. Donation Request:

- Karley Jones - Miss Indian NEO- \$500
 - Motion by Michelle Newton, Member
 - Seconded by Guy Barker, Secretary-Treasurer
 - Vote: 6 yes, 0 no, 0 abstaining, 0 absent, 1 Vacant.
 - Motion Passes.

XI. Candidate Forum:

- John E. Rodgers
- Jeremy E. Olsen
- James E. Gilmore

XII. Open Forum:

- Michelle Newton - Carrie Wilson
- Zack Turley - Applaud first responders
- Joseph Byrd - Moment of silence for those that have passed
 - **Covid relief funds** - spending rules and consultations
 - **Covid response** with an update from NTHS
 - **Severe weather:** thanked our emergency response team, housing and maintenance crews.
 - **Update on Goodeagle:** Back in August, the B.C. approved a resolution to investigate the settlement. Refer to the title of the resolution in our archives. First off, there are some comments in several different areas encountered after an in-depth investigation of the lawsuit, the claims in the nature of the images served in the lawsuit, as well as the damaged parties. The Business Committee asked Mr. Robert Lawrence to gather and present specific items to the Business Committee. Mr. Lawrence may know the decision, not how you know how much would be distributed to these individuals. We ask these rewards to provide us with title information that would show how much land and land location on by each video pointed before we even asked Mr. Lawrence to perform this work. The Business Committee met with the firms, and we considered many other alternatives, some of which included hiring a new firm. We ultimately decided it would cost several hundreds of thousands of dollars to bring him up to speed and then still have to hire an outside expert to calculate the land ownership. Another option was to have the Marzullo Firm fairly calculate, and you know they are located in D.C., also very expensive. The land work or the expert work they had somebody else to do the work, which is also a costly alternative. The last option was to talk to Steve Ward, who has refused and continues to refuse to answer any of our questions. Millions of dollars to try still didn't even show up for the video trial, so now was also an alternative that was considered, ultimately decided on visual words in the background or Rob Lawrance. He worked on the title information in the video suit for over a year. His history and legal experience and his natural resources previously that he was a landman during that case. The group Matthews, your database in the amount of location of each caused Tribal Member's land, U.S. attorneys in the suit also prepared similar work.

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Ultimately, that right attorney had the Realty Department review that ownership of land and ultimately agreed to the results' accuracy. These resulted in half of the Tribe that is crazy, it's, and U.S. turn is announcing to the court pre-trial conference that parties had all stipulated to the land ownership of all enrolled members, restricted land stimulation was then filed on record. So this means that all parties created the same damage calculation presented to Judge Wheeler. So we asked Mr. Lawrence to take the ownership data that consisted of thousands, if not tens of thousands of data lines, and organize it in a manner that would list the ownership of each pool that participated in the trial. It is important to note that this analysis does not include individuals that hired their own attorney. We also asked Mr. Lawrence to take the damage calculations prepared by Tribe experts and sort through the property and property owners; in other words, the experts calculate that, for example, part of the interior fell to collect Rivertown lots, let's say on the Slim Jim property, so we had Mr. Slim version two, how much of this level of it they own so we have 1%. We wanted 1% of landowner same thing for every type for every landowner. Last month, detailed letters explaining this analysis went out to every member who was planted in the medieval suit, those individuals who were either shorted or did not receive the correct amount on the 1st legal distribution were notified. Under this analysis, the Business Committee rectified an extremely messy situation. Some of those members who thought they were entitled to more money had little to no damage to the man or in-home here and currently, so both damage and clear necessary factors to have a claim 120 land owners who are significantly shorter than the first video distribution. The Business Committee by that, it's not fair to use the claims of your neighbor to win settlement based on their claims. Then leave out in the cold something that occurred for those individuals or made to sign document without even seeing any type of analysis less than 1% open record. We have a remaining balance of \$19.9 billion, so which still has to be paid out this line. This is a rumor that money isn't going anywhere; make sure this version goes to the appropriate people. We will do with remaining on we open transparency. Open this up for discussion.

- **General Council:** Austin Vance - My name is Austin Vance with the law firm of Whitman Bridge. We are a tribal law firm also, so we handle all kinds of work for different tribes. Prosper nations include code writing, litigation, and advisement counseling. Our firm is one of our two partners, Michael bridge, the first Native American federal judge in the United States, and he's since returned to private practice. Our whole practice is built on supporting tribal sovereignty. We don't take clients that are against travel interests; we don't do any of that, so anything we do for any of our clients is always towards detecting sovereignty, expanding the way that traps function, helping economic development, things like that. As far as our role of legal counsel to the nation, we will provide those services to the nation and its entities. I understand that some of the entities have their own legal counsel, but we will function as gap fillers as needed to make sure the nation's

entities are covered. As the chairman noted, my name is Austin Vance; I'm the attorney contact for the firm for the quapaw nation for the day-to-day operations. I'm the first person to receive this information; the firm as a whole is available to the nation represented in litigation, doing code writing, and all of that all those things. I'm just the person who probably represents at hearings and whatnot, all those things I'll be there. Then just kind of depending on the needs of the case, you'll see other faces such as Michael bridge, really any lawyers currently working in our Indian Law Group. Some background on the type of litigation our firm is handled in the past in the last ten years, we represented the state of Oklahoma versus Purdue pharmacy in a trial that awarded Andy settlements, it was North of \$500 million in the State of Houma, we reached a settlement agreement with the United States in a trust action, regarding taking lumber from the chicks on Choctaw nations for \$186,000,000. We recently negotiated mainly Michael Barrish, a water settlement on behalf of the Choctaw nation and the State of Oklahoma, for the Chimici reverberations to preserve that water for the nation, so these are your whole tribe representations. We're just looking forward to working with the Tribe, and I appreciate the Business Committee and the nation for having me. I am excited that we're able to work together and work towards making the nation great going forward. Are there any other questions?

- Kelly Flannagan
- Sherri Smiley
- Barbara Collier
- Roman Kihega - 031009-C Policy Ethics
- Kristi Kelley
- Leanna Olsen - Funeral Policy
 - Joseph Byrd
 - Everett Bandy
 - Henry Ellick
 - Robyn Olsen
 - Callie Bowden
 - Michelle Newton
 - Joseph Byrd
 - Henry Ellick
 - Lloyd Buffalo
 - Abigail Logan
- Henry Ellick - Censor Everything Quapaw & Quapaw West
- Lloyd Buffalo - NAC back gate
 - Joseph - Miscommunication, and it was resolved last night
- Joseph Byrd -

XIII. Benediction: Joseph Byrd, Chairman

XIV. Adjournment: 1:00 P.M.

/s/ Guy Barker
Guy Barker, BC Secretary/Treasurer

Minutes Prepared in Accordance
with Robert's Rules of Order
By: /s/ Heather Dismuke
Executive Secretary

CERTIFICATION

Approved by the Quapaw Nation Business
Committee on March 20, 2021, with a vote
reflecting 7 yes, 0 no, 0 abstaining, and 0 absent.