

# QUAPAW TRIBE OF OKLAHOMA

P. O. BOX 765 QUAPAW, OKLAHOMA 74363

## RESOLUTION 101980 BUSINESS COMMITTEE BUDGET FY81

- WHEREAS, the Quapaw Tribal Business Committee is elected to act on behalf of the Quapaw Tribe of Oklahoma as authorized by the Resolution of August 19, 1956, and
- WHEREAS, the Tribal Business Committee incurs expenses in the fulfillment of their responsibilities of tribal government including sponsorship of a yearly memorial dinner, underwriting annual pow-wow, plus utilities necessary to tribal sanctioned events during the year at Beaver Springs Park, as well as, normal administrative costs, and
- WHEREAS, the Quapaw Tribe of Oklahoma has on deposit sufficient monies in its Q-32 (IIM) account to utilize for the operation of the Tribal Business Committee for one year as in previous years, and
- WHEREAS, a budget has been prepared and reviewed by the Quapaw Tribal Business Committee for the period of October 1, 1980 through September 30, 1981 with estimated expenditures as follows:

|   |                 |
|---|-----------------|
| Bonding Secretary/Treasurer   | 75.00           |
| Business Committee Adm. Expenses<br>(Stationery, Stamps, Telephone, Tapes,<br>Etc.) | 300.00          |
| Public Notices  | 150.00          |
| Utilities Beaver-Springs - Electric,<br>Water, Propane                              | 1,400.00        |
| Annual Memorial Dinner  | 300.00          |
| NCAI Tribal Dues  | 120.00          |
| NCAI Delegate Travel  | 400.00          |
| Deficits 1980 Pow-Wow   | <u>2,000.00</u> |
| TOTAL   | \$4,745.00      |

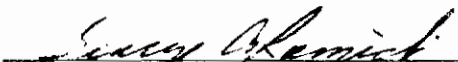
NOW THEREFORE BE IT RESOLVED, THAT, the total amount of the budget.  
an amount of \$4,745.00 be withdrawn from the Quapaw Tribes  
Q-32 Account (IIM) and submitted to:

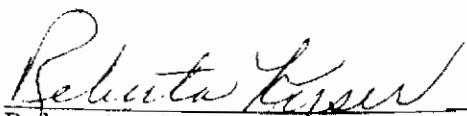
Reberta Kyser, Secretary-Treasurer  
Quapaw Tribal Business Committee  
Quapaw Tribal Office  
P.O. Box 765  
Quapaw, Oklahoma 74363

BE IT FURTHER RESOLVED, THAT, expedient action is requested as  
approximately 43% of the budget is to be utilized for  
deficits of the 1980 Quapaw Pow-Wow, which are now in  
excess of 3 months overdue.

CERTIFICATION

This action taken in a regular scheduled meeting of the Quapaw Tribal  
Business Committee held on the 19th day of October 1980 in the long-  
house at Beaver Springs Park with 6 members present and voting and  
1 member absent and not voting; with vote of 6 for none against and  
no abstentions.

  
George Romick, Chairman  
Quapaw Tribal Business Committee

  
Reberta Kyser, Secretary-Treasurer  
Quapaw Tribal Business Committee

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

INDIVIDUAL  
INDIAN ACCOUNTS  
APPLICATION

MUSKOGEE AREA OFFICE

AREA DIRECTOR OR SUPERINTENDENT:  
AREA DIRECTOR

SIR:

I hereby apply for \$ 4,745.00 of Indian Money credited to my account on the books of your office, to be expended for the following purposes:

Miscellaneous expenses as requested by the Quapaw Tribe.

Indian Leberta Kyser Tribe Quapaw Acct. No. INDIAN 0-32  
Secretary/Treasurer for the Quapaw Tribe  
Permanent address

IF UNABLE TO WRITE  
  
MAKE THUMB-PRINT HERE

RECOMMENDATION AND APPROVAL

I do hereby recommend approval of the above request. The exact title of account as carried by your office is:

Account: Leberta Kyser, Secretary/Treasurer Acct. No. INDIAN 0-32  
Indian For the Quapaw Tribe of Oklahoma Tribe Quapaw

Mailing address:  
(If other than permanent address) Quapaw Tribal Office  
P. O. Box 765  
Quapaw, Oklahoma 74363

Approval is recommended.

Approved for \$ 4,745.00 Date \_\_\_\_\_  
(Welfare officer) (Date)

Jack C. Naylor, Supt. Miami, Oklahoma  
(Field representative) (Field station) (Other) (Date)

AUTHORITY REFERENCE: \_\_\_\_\_ PURPOSE: \_\_\_\_\_

Paid by check No. \_\_\_\_\_ Date \_\_\_\_\_ Date mailed \_\_\_\_\_

(SUBMIT ORIGINAL ONLY: Additional copies as required by Field Representative and applicant)

# QUAPAW TRIBE OF OKLAHOMA

P. O. BOX 765 QUAPAW, OKLAHOMA 74363

## RESOLUTION 5880

WHEREAS: We, the Quapaw Tribe of Oklahoma have a deep responsibility to our future generations and for them we must and will fight for the integrity of our sovereign status and the implementation of tribal self-determination; and

WHEREAS: We, the Quapaw Tribe of Oklahoma feel obligated to alert the Secretary of Education and the Congress to a very serious problem that could cause grievous injury to the federally recognized tribes and the education opportunities for their tribal members. The federally recognized tribes have felt left out and powerless before a small but influential group of federally and state education officials and non-federally recognized persons claiming Indian Study and its outcomes to the detriment of the tribes; and

WHEREAS: We, the Quapaw Tribe of Oklahoma, are in agreement with the majority of the federally recognized tribes that there has been insufficient consultation with the federally recognized tribes by the staff of the Indian Definition Study Office of the Assistant Secretary, DHEW, on the Congressionally mandated (Sec. 1147 - Title XI) Definition of Indian Study for the purposes of eligibility for the Indian Education Act of 1972; and

WHEREAS: Tribally authorized representatives at the April 25, 1980 meeting called by the National Tribal Chairman's Association were shocked and dismayed to learn that the Definition of Indian Study project from the Office of Policy Development, Office of the Assistant Secretary, DHEW, would present in their final report to Education Secretary Hufstedler several options for the Definition of Indian that are heavily weighted against the best interests of the federally recognized tribes, and that would seriously endanger the status of federally recognized tribes; and

WHEREAS: The Quapaw Tribe of Oklahoma has reviewed the options mailed to the tribes by Abdul Kahn, Director of the Definition of Indian Study Project and submits the following comments:

DEFINITION OPTION A: Blood Quantum did not take into account that each tribe determines its own citizenship that may range in blood quantum from 1/16 to 4/4. Some tribes may have other criteria for citizenship. Some tribes accept combined blood quanta of various tribes for tribal citizenship. No tribal government imposes its citizenship criteria on another tribal government.

DEFINITION OPTION B: Descendency and Reservation Residency is REJECTED because descendents of tribal members are not members unless the tribe has determined that they are members and meet the criteria of tribal enrollment. Only the tribal government determines residency requirements.

Defininiton Option D: State Recognized, Terminated, or Second Degree Descendents of State, and Federally Recognized Members, Federally Recognized, or Person who are Determined to be Indian by the Education Commissioner after Consultation with NACIE is REJECTED. This is the current Title IV Education Department definition of Indian for eligibility and MUST BE AMENDED because it has caused serious abuses. States may not determine federal recognition. Descendents in the first or second degree of state recognized groups and first and second degree descendents of federally recognized members are not tribal members unless the tribe has determined that they are its members and meet the criteria of tribal enrollment. Terminated tribes can and are being helped by several public and private organizations to be restored to federal recognition when they will be eligible for services as federally recognized tribes. NACIE, as quasi-governmental entity, has not been authorized by the tribes to tell the Education Commissioner, or the Education Secretary what the Definition of Indian should be. NACIE has accepted the present loose definition since 1972.

Definition Option E: Origins in Any of the Original Peoples of North America, Cultural Identification through Tribal Affiliation or Community Recognition is REJECTED. This is the current Office of Civil Rights Definition. This OCR definition further states: "A pupil may be included in the group as which he or she appears to belong, identifies with, or is regarded in the community as belonging to." This definition violates the political status of the federally recognized tribes and the tribal government's inherent authority to determine its own tribal citizenship/membership. "Community" is a minority term. Community recognition is vague and not pertinent. Racial/ethnic categories are pertinent only to minorities. Tribes are not minorities, but are political entities.

Definition Option F: Self-Identification is REJECTED because tribal members are defined only by the particular tribes. Individuals may not assume tribal membership, or self identify as tribal members. This current Bureau of the Census definition, by its procedures, is undermining tribal self-determination; and

WHEREAS: We, the Quapaw Tribe of Oklahoma affirm that it is the sole responsibility and right of the tribes to make determinations regarding citizenship/membership criteria for their nations, including all aspects of citizenship requirements such as blood quantum, combined blood quantum,

reservation residency, lineage requirements, naturalization etc., and we affirm that these inviolate rights that have been upheld by the Supreme Court must not be violated, nor interfered with by any external individuals, groups, states, or agencies, be they public or private; and

WHEREAS: While it may not have been the original intent of the Definition Study to infringe on tribal sovereignty, the study has, by its methods and outcomes favoring a few but influential non-federally recognized groups, threatened to cause jeopardy to the status of the federally recognized tribes, and has pinpointed that there is no real difference between eligibility for Indian services from the federal government and eligibility because the federal government recognizes a tribe to be eligible for services and benefits because of their status as a tribe, and finally, certain of the Study outcomes would, if accepted by the Congress, have a negative impact on all other federal agencies who, because of their trust responsibility provide services and benefits to the federally recognized tribes; and

WHEREAS: The federal government has provided a procedure and policy for establishing that a non-federally recognized group exists as a federally recognized tribe (Title 25, Code of Federal Regulations, Part 54, Final Rules, September 5, 1978) "and such procedure and final acknowledgement of federal recognition is a prerequisite for eligibility to the protection, services, and benefits from the federal government available to Indian tribes. Such acknowledgement shall also mean that the tribe is entitled to the immunities and the privileges available to other federally acknowledged Indian tribes by virtue of their status as Indian tribes, as well as the responsibilities and obligations of such tribe"; and

WHEREAS: The federally recognized tribes have confidence that the Secretary of Education will support the 1978 public policy statement made by President Carter: "I consider it my solemn duty and obligation as President to see that we fulfill our trusteeship responsibilities within the framework of self-determination for American Indians. In particular, I would like to reaffirm my resolve to honor this country's legal and moral responsibilities to American Indians....";

NOW THEREFORE BE IT RESOLVED: That in the interests of a coherent federal policy for Indian tribes that is consistent with the Indian Self-Determination and Education Assistance Act of 1975, as well as the United States' unique political and trust relationship with the federally recognized tribes, We, the Quapaw Tribe of Oklahoma insist that the Secretary of the Education Department must reaffirm and not jeopardize, the legal right of the federally recognized tribes to determine their own citizenship/membership by recommending to the Congress that the Indian Education Act of 1972, PL 92-318 should be amended to be consistent with the Definition of Indian, which has already been adopted by the Congress in the Indian Self-Determination and Education Assistance Act of 1975, 25

USC § 450-450 (n); and

BE IT FURTHER RESOLVED: That until such time that non-federally recognized groups have successfully completed the 25 CFR 54 procedure that the federal government has provided for establishing federal recognition that a group has attained the status of a federally recognized tribe and is eligible for the protection, services, and benefits available from the federal government to Indian Tribes that the Secretary for Education continue to make available to these groups all such education programs that are designed to meet the needs of minority and educationally disadvantaged persons; and

BE IT FURTHER RESOLVED: That we, the Quapaw Tribe of Oklahoma, recommend that the Secretary of the Education Department support the aforementioned amendment to PL 92-318 now rather than later and repudiate all other fanciful options for Indian definition devised by the Definition of Indian Study Project including the present Title IV definition of Indian because the consequences of continuing to use the current PL 92-318 definition of Indian will only cause further abuses of PL 92-318 as highlighted by the General Accounting Office in its March 1977 report and may open the program to charges that it is illegal to serve groups who aspire to be federally recognized tribes, but who have not **yet** attained the status of federal recognition, and who would be by attainment of this status, eligible for the federal government's special protection, benefits, and services.

\* \* \* \* \*

Acting by Authorization of the Quapaw General Council and the Quapaw Tribal Business Committee:

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Jesse McKibben, Chairman  
Quapaw Tribe Business Committee  
Quapaw Tribe of Oklahoma

THE BOARD OF COMMISSIONERS OF THE CITY OF MIAMI OF THE STATE OF OKLAHOMA,  
MET IN REGULAR SESSION AT THE CHAMBERS OF THE BOARD OF COMMISSIONERS IN  
THE MIAMI CITY HALL, MIAMI, OKLAHOMA, ON THE 21ST DAY OF APRIL, 1980,  
AT 7:00 O'CLOCK P.M.

PRESENT: MAYOR WILHOIT, COMMISSIONER KATNER, EIFLING, GOZA AND WYATT

ABSENT: NONE

THEREUPON a Resolution was introduced by Commissioner EIFLING and was read in full by the County Clerk. The passage of the Resolution was moved by Commissioner EIFLING and seconded by Commissioner WYATT. The Resolution was adopted by the following vote:

AYE: COMMISSIONER KATNER, EIFLING, GOZA AND WYATT

NAY: NONE

The Resolution was thereupon signed by the Mayor, attested by the City Clerk, sealed with the seal of the City and is as follows:

#### RESOLUTION

WHEREAS, the Miami Industrial Development Authority (hereinafter called the "Authority") has been created by a certain Trust Indenture dated June 21, 1971, and the Board of Commissioners (hereinafter called the "Board") on behalf of the City of Miami, Oklahoma (hereinafter called the "City") has accepted beneficial interest on said date, by duly enacted resolution, constituting the Authority as an agency of the State of Oklahoma and the regularly constituted authority of the City for the performance of the functions for which it has been created; and

WHEREAS, the Board has been fully advised of the plans of the Authority with respect to financing a commercial racquetball club, including courts, exercise and recreational facilities and a pro shop and vending facilities (hereinafter together called the "Facilities") in or near the City, for lease to Olympic Racquetball Courts of Miami, Inc., an Oklahoma corporation, with the proceeds of the Authority's revenue note (hereinafter called the "Note") to be dated the date of delivery thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MIAMI, OKLAHOMA:

SECTION 1. The incumbent Trustees and officers of the Authority as of the date hereof are John F. Robinson, Chairman; J.L. Burford; Dail West; L.K. Newell and Wayland Kelly. The Trustor and Secretary of the Authority, not a Trustee, is H.A. Berkey. The Board reaffirms its June 21, 1971 acceptance of beneficial interest in the Authority on behalf of the City.

SECTION 2. Pursuant to Sections 176(d), 176(c) and 177.1 of Title 60, O.S. 1971, Sections 176 et seq., as amended, the Board approves the issuance of the Note by the Authority on behalf of the City, as beneficial in accordance with the resolution adopted by said Authority on April 17, 1980, and the obligation and commitment of the City of Miami, Oklahoma, to the State of Oklahoma, as beneficiary of the Note.



negotiated private placement of such Note, without public competitive offering, with The First National Bank & Trust Company of Miami, Miami, Oklahoma.

For the purposes of Section 103(b) of the Internal Revenue Code of 1954, as amended, the Board does by this Resolution confirm that all of the proceedings of the Authority in connection with issuance of the Note are conducted and are hereby adopted in like purpose and intent as though such proceedings had been conducted, confirmed, adopted and done by the Board, provided that the Board and City shall have no financial liability on the Note or under any instruments or proceedings.

PASSED AND APPROVED THE 21ST day of April, 1980.

  
Mayor

ATTEST:



City Clerk

STATE OF OKLAHOMA )

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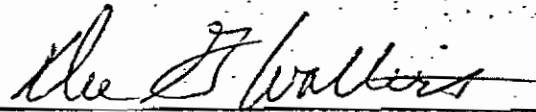
SS

COUNTY OF OTTAWA )

)

I, the undersigned, the duly qualified and acting City Clerk of Miami, Oklahoma, in said State hereby certify that the attached copy of Resolution is a true and complete copy of the Resolution duly adopted by the Board of Commissioners and signed by the Mayor of said City on the date therein set out and recorded in my office and of the proceedings had in the adoption of said Resolution as shown by the records in my office. I further certify that attached hereto is a true and complete copy of the public notice and agenda posted not less than twenty-four (24) hours prior to the meeting wherein said Resolution was adopted.

WITNESS MY HAND AND THE SEAL OF SAID CITY THIS 21st day of April, 1980.



Miami City Clerk

(SEAL)



A G E N D A

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS

7:00 P.M. MONDAY, April 21, 1980

COUNCIL CHAMBER MIAMI CIVIC CENTER

CONSIDERATION:

- Minutes and Purchase Orders BY: Watters
- Request and approval of financing For  
MIDA: Olympic Racquetball Courts of Miami, Inc BY: John F. Robinson
- Final Plat approval-Elmwood East-Tract A  
CEMI: Preliminary Approval for Elmwood East-Tract B BY: John Duncan
- KeyWest Housing Addition BY: John Stewart-Bill FOLL
- Proposed: City-County Jail BY: Thompson
- North Miami--Sewer Charge BY: Thompson
- BY: \_\_\_\_\_
- BIDS----- BY: Watters
- Appointments----- BY: Mayor Wilhoit
- BY: \_\_\_\_\_
- Discuss: Jerry Smith Case BY: Thompson
- BY: \_\_\_\_\_
- BY: \_\_\_\_\_
- BY: \_\_\_\_\_
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- BY: \_\_\_\_\_

OKLAHOMA STATE LAW REQUIRES THIS AGENDA TO BE POSTED AT THE MIAMI CIVIC CENTER NO LATER THAN 24 HOURS PRIOR TO THE MEETING, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS.

THE TRUSTEES OF THE MIAMI INDUSTRIAL DEVELOPMENT AUTHORITY, STATE OF OKLAHOMA, MET IN SPECIAL SESSION AT 516 FIRST NATIONAL BANK BUILDING, MIAMI, OKLAHOMA, ON THE 17th DAY OF APRIL, 1980 AT 9:30 O'CLOCK A     .M.

PRESENT: John F. Robinson, John Burford, Dail West, L.K. Newell

ABSENT: Wayland Kelly

THEREUPON, Trustee Newell, introduced resolution which was read in full by the Secretary and upon motion by Trustee Newell, seconded by Trustee Burford, the resolution was adopted by the following vote:

AYE: Robinson, Burford, Newell

NAY: West

Said resolution was thereupon signed by the Vice Chairman, attested by the Secretary, sealed with the seal of the Authority and is as follows:

#### RESOLUTION

WHEREAS, the Trustees of the Miami Industrial Development Authority (hereinafter called the "Authority") desire to stimulate, benefit and strengthen the economic development of the City of Miami, Oklahoma, secure, develop and maintain industry and industrial and commercial projects and activities, and provide additional employment, by acquiring, constructing and equipping, on a site to be owned by the Authority, a building and equipment for use as a commercial racquetball club, including courts, exercise and recreational facilities and a pro shop and vending facilities (the foregoing being hereinafter together called the "Facilities") to be leased to Olympic Racquetball Courts of Miami, Inc. (hereinafter called the "Corporation"), an Oklahoma corporation, upon such terms and conditions as the Authority and the Corporation mutually agree upon; and

WHEREAS, The Authority has received a loan application from the Corporation and a loan commitment (hereinafter called the "Commitment") dated April 2, 1980, from The First National Bank & Trust Company of Miami, Miami, Oklahoma both in the form attached hereto and made a part hereof; and

WHEREAS, the Authority desires to induce the Corporation to locate and operate such Facilities by offering and agreeing to finance the cost of acquisition, construction, equipping and furnishing of said Facilities in the approximate principal amount hereinafter set out; and

WHEREAS, in the event of the acceptance by said Corporation of the offer of the Authority to finance said Facilities and to encourage said Corporation to locate and operate the same, the Authority wishes to assure said Corporation that construction and equipment expenses advanced by said Corporation on behalf of the Authority will be repaid from the proceeds of indebtedness to be issued by the Authority, when and if issued;

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Miami Industrial Development Authority:

Intending the action undertaken in this resolution to be official

Facilities, all at the request of the Corporation, to induce the Corporation to locate and operate the Facilities in or near Miami, Oklahoma. The Note above described shall be issued by the Authority upon substantially the terms and conditions set forth in the Commitment attached hereto, which terms, conditions, and Commitment are hereby approved by the Authority.

The offer of the Authority herein to issue the Note for the purpose of acquiring, constructing and equipping the aforesaid Facilities shall be accepted by the Corporation in writing.

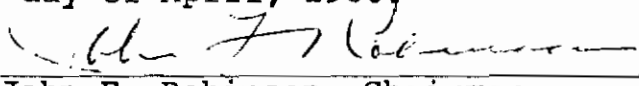
In event of the acceptance of the offer of the Authority herein made to said Corporation, said Corporation is hereby authorized on behalf of the Authority to commence the acquisition, construction and equipping of the aforesaid Facilities at its own cost and expense, which cost and expense shall be reimbursed from the proceeds of the Note, when and if issued by the Authority.

In order for the Corporation to proceed with the preparation of necessary plans and specifications for the Facilities, and in order for the Corporation to proceed with finalizing of site selection, construction contracts for the Facilities, site improvement and utility contracts and purchase orders for equipment for the Facilities, and in order for the Corporation to incur expenses on the Authority's behalf in connection with the various phases thereof, the Authority hereby authorizes the Corporation, on behalf of the Authority and as its agent, upon acceptance hereof, to enter into construction, utility and site acquisition and improvement contracts, to issue purchase orders for equipment and to commence with the acquisition, construction, equipping, furnishing and installation of the Facilities, all the Corporation's own cost by means of funds furnished to the Authority, which cost and funds furnished shall be reimbursed from the proceeds of the Note when and if issued by the Authority, or shall be reimbursed from the proceeds of interim financing, when and if incurred by the Authority. In the event that such costs are incurred by the Corporation after the Note is issued or interim financing incurred, and the proceeds thereof received by the Authority, then such costs and expenses shall be directly paid by the Authority from said proceeds. In consideration of the Authority appointing the Corporation as agent, the Corporation, by accepting this offer, agrees to indemnify and hold harmless the Authority from and against all claims, demands, suits, losses, costs, expenses and liabilities of whatever nature arising or in any way growing out of the acts or omissions of the Corporation, its officers, agents or employees, or of any contractor or subcontractor with the Corporation, or any of such contractors' or subcontractors' officers, agents or employees in connection with the performance of the work contemplated hereby. All costs and expenses incurred by the Corporation in connection with commencing the Facilities and equipment acquisitions shall be for the Authority's account. It is understood that any purchases by the Corporation of materials, equipment, tools and any and all other personal property shall be consummated in the name of the Authority as follows: Miami Industrial Development Authority by Olympic Racquetball Courts of Miami, Inc., agent. It is further understood that all invoices for such purposes shall be billed in the name of the Authority, approved by the Corporation as agent for the Authority and forwarded to the Authority for payment or reimbursement.

At the request of the Corporation, upon acceptance hereof, the

contracts, and have the right of enforcement thereof, and shall serve as project supervisor thereunder. Should the Corporation decide that it would like for the Authority to proceed with site acquisition, construction, site improvement or utilities in connection with the Facilities, or with the acquisition and installation of equipment prior to the Authority's receipt of the proceeds of the Note or proceeds of interim financing, the Corporation will furnish the Authority with sufficient funds to pay any costs incurred by the Authority and with any necessary documentation and approval of such costs. The Authority, upon being furnished by the Corporation with sufficient funds to pay such costs, prior to receipt of the proceeds of the Note or interim financing, will acquire and contract for the improvement of the Facilities' site or construction of Facilities thereon, or purchase or installation of equipment included in the Facilities, and accept and pay all costs related thereto. Any and all funds furnished by the Corporation for such purposes prior to issuance of the Note or interim financing, shall be reimbursed to the Corporation, upon request, from proceeds of the Note or interim financing indebtedness, when and if issued.

PASSED AND APPROVED the 17th day of April, 1980,

  
John F. Robinson, Chairman

STATE OF OKLAHOMA )

COUNTY OF OTTAWA )

SS

I, the undersigned, the duly qualified and acting Secretary of the Miami Industrial Development Authority hereby certify that the above and foregoing is a true, correct and complete copy of a resolution duly adopted by the Trustees of the Miami Industrial Development Authority and of the proceedings of the Trustees in the adoption of said resolution as shown in the records of the Authority in my office.

I further certify that attached hereto is a true and complete copy of a public notice posted on or before April 11, 1980, 9:00 a.m. at the Chamber of Commerce, and at 516 First National Bank Building, Miami, Oklahoma, and delivered to the Clerk of the City of Miami, Oklahoma, on or before said date and time.

WITNESS, my hand and the seal of said Authority this 17th day of April, 1980.

  
Secretary

(SEAL)

Olympic Racquetball Courts of Miami, Inc., hereby accepts the offer to issue the Note, and the agency designation of the Miami Industrial Development Authority, as set forth in the resolution adopted by said Authority on the 17th day of April, 1980. This acceptance is effective as of said date.

OLYMPIC RACQUETBALL COURTS OF MIAMI, INC.

NOTICE OF SPECIAL MEETING

To be filed in the Office of the Miami City Clerk; and posted at the Chamber of Commerce, Miami, Oklahoma and at 516 First National Building.

Notice is hereby given that the Trustees of the Miami Industrial Development Authority, an Oklahoma public trust, the beneficiary of which is the City of Miami, Oklahoma and whose address is: c/o Chamber of Commerce, Miami, Oklahoma, will meet in special session at 516 First National Bank, Miami, Oklahoma on the 17th day of April, 1970 at 9:30 o'clock, a .m., for consideration of the Resolution attached hereto and for such other business as may come before the Authority.

  
H.A. Berkey, Secretary  
April 11th , 1980

Miami Industrial Development Authority  
Room 516  
First National Bank Building  
Miami, Oklahoma 74354

RE: Loan Application  
Olympic Racquetball Courts of Miami, Inc.  
Miami, Oklahoma 74354

Gentlemen:

We have done considerable research on racquetball clubs, their cost, and profitability. In addition, we are presently involved in the operation of Olympic Racquetball Courts of Joplin, Missouri and would like for you to consider the following information.

Since 1970, when racquetball was first introduced as an organized sport, over 2,500 clubs have been built, with another 500-1000 clubs to be built each year for the next few years. With 75,600 people playing racquetball in 1970, and now over 7.5 million playing, it is easy to see why racquetball is considered the fastest growing participation sport in the country. Television exposure is expected this fall for racquetball tournaments, which should accelerate the growth rate of racquetball even more.

Current projections from several reputable sources are that the number of handball participants is not expected to increase significantly, the number of racquetball players is expected to equal the number of tennis players (20-25,000,000) within five years. This would be equal to approximately 15% of the U.S. population. Extrapolating these figures in the Miami area would mean a playing population of 2,250 people (15% of 15,000). This would be excluding the people that would be drawn from outside Miami. One court can support 100 members, so we have a profitable potential of about 22 courts in the Miami area.

Since Miami doesn't have any courts, or a family recreation center, and with the growing popularity of racquetball, we foresee that the building of a family recreation center and a racquetball facility would be a very desirable industry for the Miami area. This would be beneficial to the promotion and production of family physical fitness and the economy of Miami. We also feel that a facility of this nature would help attract new industry and additional families to Miami.

Racquetball has several features which make it superior to tennis in both profitability to an entrepreneur and physical conditioning to a participant. From a financial standpoint, an 8 court racquetball club can be constructed for 1/2 the cost of an 8 indoor court tennis club, because 4 racquetball courts can fit in the space of one tennis court. Energy costs of a racquetball club runs about 30% of a tennis club. This is a consequence of having to air condition much more empty space in tennis clubs.

Although court rental rates are generally lower for racquetball clubs, occupancy rates are almost always higher. Tennis is basically outdoor game moved inside, while racquetball is exclusively an indoor game. Therefore, racquetball players can not move to outdoor courts when the weather is nice. A racquetball or tennis club's winter occupancy rate will be between 85-95%, but a racquetball club will maintain a 50-60% rate in the summer, while tennis clubs will fall to 10-20%. This provides a substantial 5 month revenue advantage for racquetball.

From a player's standpoint, it is much easier to learn to play racquetball. Within one hour, a person can play a credible game and not feel frustrated chasing balls. The exercise involved is much more intense in racquetball, requiring about 800 calories per hour compared to approximately 267 calories per hour for tennis. In general, a racquetball player's motivation, besides having fun playing, is to provide a regular conditioning program for the participant. Therefore, they tend to play on a more regular basis to maintain their physical fitness in preference to jogging or calisthenics.

Because of our certainty of the current and future needs for a family recreation center and racquetball facility in Miami, we plan to build a racquetball club with 8 courts, indoor track, exercise room, whirlpools, saunas and baby-sitting facilities. Building a club of this size would discourage any competition for the next few years, and will assure a satisfactory annual return on money invested. A total package including land, building, and equipment for an 8 court facility will cost approximately \$650,000.00.

Aside from the monetary aspects, it is our goal to increase the overall physical fitness in Miami and the surrounding communities. By constructing this family physical fitness center, we will provide a place where individuals of all ages can come to exercise at an affordable price.



(3)

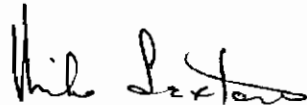
It is planned that our facility will be open to the public 6:00 a.m. to 11:30 p.m., Monday thru Friday, 7:00 a.m. to 11:30 p.m. on Saturday, and 1:00 p.m. to 11:30 p.m. on Sunday. We will employ approximately 20 people full and part-time.

In general, we will provide the land so as to provide an equity position in the package, and seek a long term financing through the Authority. We are willing to give a first mortgage on the land, building and contents for a loan in the amount of \$550,000.00 at 8½%. We prefer a 20 year amortization with no prepayment penalties.

Yours very truly,

OLYMPIC RACQUETBALL COURTS  
OF MIAMI, INC.

By



\_\_\_\_\_  
President

INCOME CALCULATION

|                         |                        | <u>Non-Prime</u> | <u>Prime</u> |
|-------------------------|------------------------|------------------|--------------|
| Courts open Mon. - Fri. | 6:00 a.m. - 11:30 p.m. |                  |              |
| Non-prime time          | 6:00 a.m. - 4:00 p.m.  | 50 hr/wk         |              |
| Prime time              | 4:00 p.m. - 11:30 p.m. |                  | 35 hr/wk     |
| Saturday                | 7:00 a.m. - 11:30 p.m. |                  |              |
| Non-prime time          | 6:00 p.m. - 11:30 p.m. | 5 hr/wk          |              |
| Prime time              | 7:00 a.m. - 6:00 p.m.  |                  | 11 hr/wk     |
| Sunday                  | 1:00 p.m. - 11:30 p.m. |                  |              |
| Non-prime time          | 6:00 p.m. - 11:30 p.m. | 5 hr/wk          |              |
| Prime time              | 1:00 p.m. - 6:00 p.m.  |                  | 5 hr/wk      |
|                         |                        | <hr/>            | <hr/>        |
|                         |                        | 60 hr/wk         | 51 hr/wk     |

COURT FEES

Prime time \$7.00/hr.      Non-prime time \$5.00/hr.

60% OCCUPANCY OF COURTS

|   |                  |
|---|------------------|
| 8 courts x 60 hrs/wk. x \$5.00/hr. x 0.60 = | \$1440 / week    |
| 8 courts x 51 hrs/wk. x \$7.00/hr. x 0.60 = | \$1714 / week    |
|   | \$3154 / week    |
|   | x 52 wk/yr       |
|   | <u>\$164,008</u> |

INCOME

|   |          |                  |  |
|---|----------|------------------|--|
| Yearly Dues:                            |          |                  |  |
| Individual memberships (500 @ \$75)     | \$37,500 |                  |  |
| Family memberships (700 @ \$125)        | \$87,500 | \$125,000        |  |
| Court rentals (8 courts, 60% occupancy) |          | \$164,008        |  |
| Pro Shop and Vending                    |          | \$ 40,000        |  |
|   |          | <u>\$329,008</u> |  |

EXPENSES

|  |              |                  |           |
|--|--------------|------------------|-----------|
| Salaries & Wages                         | \$80,000     |                  |           |
| Property Taxes                           | 6,000        |                  |           |
| Cost of goods sold                       | 15,000       |                  |           |
| Interest expense                         | 46,500       |                  |           |
| Utilities                                | 20,000       |                  |           |
| Maintenance                              | 4,000        |                  |           |
| Insurance                                | 7,000        |                  |           |
| Advertising                              | 3,000        |                  |           |
| Supplies                                 | <u>6,000</u> |                  |           |
|  |              | <u>\$187,500</u> |           |
| <br>                                     |              |                  |           |
| Net Income (before taxes & depreciation) |              |                  | \$141,508 |

COST BREAKDOWN

|   |               |
|---|---------------|
| Weight & exercise room equipment                      | \$ 25,000     |
| Courts  | 130,000       |
| Lockers   | 8,200         |
| Electrical  | 24,500        |
| Plumbing  | 18,100        |
| Ceilings  | 8,400         |
| Floor coverings                                       | 10,500        |
| Heat, Vent., & Air Cond.                              | 48,500        |
| Building, including fireproofing & insulation         | 88,000        |
| Paving (parking area)                                 | 12,000        |
| Wall coverings  | 2,000         |
| Cabinetry   | 15,000        |
| Sauna & Whirlpools                                    | 10,200        |
| Glass wall on 2 courts                                | 11,500        |
| Site work, incl. concrete wall, foundations & floor   | 41,100        |
| Toilet partitions                                     | 650           |
| Permits & Fees  | 2,500         |
| Interior masonry walls                                | 7,500         |
| General construction (carpentry)                      | 75,000        |
| Specialized wall & floors (wet areas & running track) | <u>10,750</u> |
|   | \$549,400     |



# The First National Bank & Trust Company of Miami

Miami, Oklahoma 74354  
(918) 542-3371

April 2, 1980

Miami Industrial Development Authority  
Miami, Oklahoma 74354

Gentlemen:

This will constitute our commitment to loan Miami Industrial Development Authority (MIDA) the sum of \$550,000.00 upon the following terms and conditions:

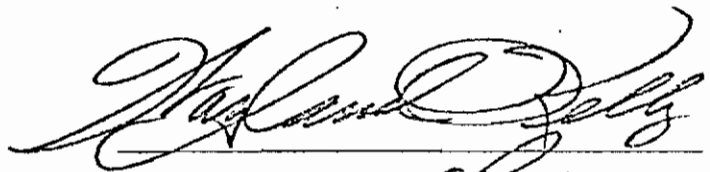
1. The proceeds of said loan to be used for the purpose of providing financing unto Olympic Racquetball Courts of Miami, Inc., an Oklahoma Corporation, for the construction of a building and facilities and the acquisition of equipment to be used in the operation of a racquetball court and related facilities (Project) in the City of Miami, Oklahoma.
2. Payment of said loan to be secured by the following:
  - i) Senior real estate mortgage on lands upon which the Project is to be located; and
  - ii) Senior security interest in all personal property used in the operation of the Project; and
  - iii) Personal Guaranty of said loan by the following entities in the following proportions:
    - Olympic Racquetball Courts, Inc., a Missouri Corporation - 100%
    - J.R. Alburty and spouse - 50%
    - Ken Gray and spouse - 50%
    - Michael P. Sexton and spouse - 15%
3. The term of the loan shall be twenty (20) years with interest thereon at a rate which shall yield the equivalent of The Chase Manhattan Bank N.A., New York City, New York, prime floating plus two (2) per cent, provided at no time shall the tax exent rate be less than ten (10) per cent.

(2)

4. Opinion of Counsel for MIDA that interest payments on said loan are currently free from Federal and State Income Tax.

5. The acceptance of participation in this loan by an additional financial institution on an acceptable overline basis.

6. This loan commitment will expire June 15, 1980.

  
\_\_\_\_\_  
President

# QUAPAW TRIBE OF OKLAHOMA

P. O. BOX 765 QUAPAW, OKLAHOMA 74363

RESOLUTION 92180

*DC*  
*con*

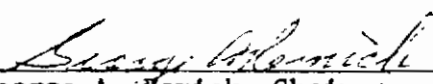
- WHEREAS, The Quapaw Tribe of Oklahoma is a federally recognized Indian Tribe; and
- WHEREAS, the Quapaw Tribe is eligible for grant monies through and/from the Bureau of Indian Affairs, via the Indian Self-Determination Grants Program under the section 104 of P.L. 93-638; and
- WHEREAS, under Contract #G00C14203284, FY 1980, Adult Education Program, Quapaw Tribe of Oklahoma, the aforementioned program was granted \$1,335 to contract consultants; and
- WHEREAS, participants in the aforementioned program have requested instruction in Consumer Education, and
- WHEREAS, by virtue of knowledge and experience, a qualified instructor is readily available in the person of Ms. Florence Mathews, an enrolled member and a member of the Business Committee of the Quapaw Tribe; and
- WHEREAS, during the Consumer Education class hours, Ms. Mathews shall not discuss or conduct tribal business or abuse her position as committee member of the Business Committee of the Quapaw Tribe of Oklahoma.

THEREFORE BE IT RESOLVED THAT:

the Quapaw Tribe through its duly elected governing body does hereby submit this resolution in support of retaining Ms. Florence Mathews as consultant in the position of Consumer Education instructor, for a period of two weeks.

### CERTIFICATION

The foregoing resolution of the Quapaw Tribe of Oklahoma being presented at a regular monthly meeting of the Quapaw Tribal Business Committee meeting on Sept 21, 1980 with a vote reflecting 4 yes 0 no 0 abstaining.

  
George A. Romick, Chairman  
Quapaw Tribal Business Committee

# QUAPAW TRIBE OF OKLAHOMA

P. O. BOX 765 QUAPAW, OKLAHOMA 74363

RESOLUTION 92180

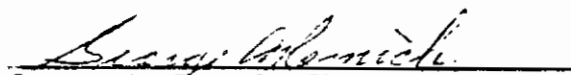
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