

# Minutes

Quapaw Nation Business Committee

Saturday, September 18, 2021

Community Building

9:00 AM

I. Call to Order

- Time: 9:12 am – Zoom meeting began and Chairman began his address at 9:13.

II. Invocation

- Lloyd Buffalo.

III. Installation of Officers: election committee represented by Frank Frazier, who administered the oath of office to Callie Bowden, Michelle Newton, and Jeremy Olsen. The event was commemorated in photos.

IV. Roll Call: Roll called by: Guy Barker

- |                                   |                          |                         |
|-----------------------------------|--------------------------|-------------------------|
| • Joseph Byrd, Chairman           | Present: <u>  X  </u>    | Absent: <u>        </u> |
| • Callie Bowden, Vice-Chairwoman  | Present: <u>  X  </u>    | Absent: <u>        </u> |
| • Guy Barker, Secretary-Treasurer | Present: <u>  X  </u>    | Absent: <u>        </u> |
| • Michelle Newton, Member         | Present: <u>  X  </u>    | Absent: <u>        </u> |
| • Zack Turley, Member             | Present: <u>        </u> | Absent: <u>  EX  </u>   |
| • Lloyd Buffalo, Member           | Present: <u>  X  </u>    | Absent: <u>        </u> |
| • Jeremy E. Olsen                 | Present: <u>  X  </u>    | Absent: <u>        </u> |

V. Declaration of Quorum: Guy Barker

VI. Reading, Correction & Approval of Minutes & Phone Poll: The minutes of August 21, 2021, BC Meeting and phone polls were presented for approval.

- Motion by Guy Barker
- Seconded by Callie Bowden
- Discussion: The Chairman was unavailable for the five August 25<sup>th</sup> phone polls because they were de minimis issues.
- Vote 6 yes, 0 no, 0 abstaining, and 1 absent.
- The motion carries and the minutes and phone polls of the August 21, 2021 BC meeting are approved.

VII. Approval/Disapproval of Treasurer's Report for the period ending August 31, 2021, was submitted to the QNBC by standard accounting procedures.

- Motion by Callie Bowden
- Seconded by Michelle Newton
- Vote 6 yes, 0 no, 0 abstaining, and 1 absent.
- The motion carries and the Treasurer's Report is approved.

## VIII. Approval/Disapproval of Reports and Subcommittees Submitted.

- **Motion by Lloyd Buffalo to accept all except the constitution committee**
- **Seconded by Callie Bowden**
- **Discussion: Lloyd Buffalo:** The committee received an email stipulating the month of October, but this was erroneous, as it was for the month of September. An additional concern was that the chairman of the committee dismissed a member on the grounds of the governing resolution, which states that if a member fails to attend twice in succession with no excuse his office will be forfeit. This applies only to the elected officials of the tribe, and not to subcommittees. The subcommittee handbooks state that the chairman has responsibility to notify the BC of a member's lack of attendance, and only the BC has discretion to remove members.
- **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
- **The motion passes and all committee reports except for the constitution committee are approved.**

## IX. Accounting Report

- **Eric Bohn**

We are wrapping up the fiscal year for 2021 this month. The numbers today are from the end of August. Our general fund received \$2.25M, bringing our total for the year to \$24M. That's on an annual revenue budget of \$26.2M, and I am fairly confident we are going to meet or beat our expectations. Actual expenses for August were \$2.37M, bringing our total for the year to \$21.1M. That is also on a \$26.2M expense budget. I am pretty confident we are not going to get there. We will have a surplus as of the end of fiscal year 2021.

On the tribal member health benefit, we spent \$331K, bringing our total for the year to \$4.5M. Our Social Services for the month of August was \$356K, bringing our total for the year to \$2.3M. Our Education expenses were \$216K, bringing our total for the year to \$830K with this month being the last month for the fall application process for students. In Tribal Enterprises we received \$420K to our General Fund (QSA, Quapaw Cattle, Quapaw Food Services, and Quapaw Counseling Services): that brings our total for the year to \$3.6M in income. I have emailed to the Business Committee the proposed budget for FY22, with a meeting set for September 29<sup>th</sup> to review. I have proposed a balanced budget again for upcoming year. No questions were asked, and the Chair thanked Eric for a good report.

## X. Subcommittee Report

- **Grace Goodeagle:**

Elders committee met and Callie and Michelle were present. Patty, the Quapaw Nation librarian, was also there, and she would like to assist the committee in their project. They will be using cards which were prepared before General Council to allow people to write down their memories of the Quapaw ways. We are concerned about this. There are a lot of questions

from the younger people – who are the Quapaw? Those kinds of questions will be coming up as a legacy for generations to come. There is a lot that goes on with someone’s life. More information will be provided in the newsletter about how the cards are to be used. The cards are available everywhere in our complex. There was discussion about upcoming events for the year for the elders. Because of COVID we didn’t have many opportunities for visitation, so we were talking to Callie and Michelle about October. Normally, our elders’ committee meets the week before the BC meeting. They were discussing holding an additional event at that time. Callie has an idea for that, but the BC has not yet discussed it. All ages are invited to share about who we are – the Quapaw – on the cards – sayings, language, jokes, stories. There are so many good things about our lives that we need to share. We’re looking forward to working with the various committees. Everyone has been very good about contacting us when they want information.

- **Michelle Newton:** As I was talking to different entities yesterday to find out where those cards are, it was brought to my attention that some people were confused because the cards are identified as being for the General Council. Our people are the general council, and the cards have that on them to show this is an initiative of the council. Do not be intimidated by that identification. I am checking with our entities to be sure they are out and so we can get those back out if they are not out. There are going to be certain places that are going to be the most popular.
- **Kelly Flanagan, Zoom:** Can we please mail these cards out?
- **Chairman Byrd:** Mykel, please contact her via a single chat and get her address for Gracie. Gracie, can we do that?
- **Gracie Goodeagle:** Yes, because if we have a mailing address, we can use that. Cards are coming into the office. So yes, if you have a mailing address, we would be happy to get the cards out.
- **Guy Barker:** Mikey and Mykel, we can create an eForm for the website as well if they do not want to mail.
- **Chairman Byrd:** What type of event are you thinking?
- **Gracie Goodeagle:** Like we have at general council time, a mini-powwow. If we could have an afternoon, where the elders can get together, and talk about some of these stories that we are getting, hopefully that will help them to recall, and we will have refreshments and that. The elders were thinking about just an event for the elders, inviting them to come, and we’ll talk about some of the stories and share those. It is a start.
- **Michelle Newton:** Someone suggested calling it “Gathering of the Quapaws.” I thought that was a great title for the elders.
- **Gracie Goodeagle:** Maybe we could come up with a contest for that. Members of the committee are here, and we would be happy to hear your ideas.
- **Chairman Byrd:** I have lots of ideas - Indian taco contest, meat pie contest – we can keep them rolling!
- **Gracie Goodeagle:** We would love to hear from you.

Chairman Byrd thanked Gracie for the report.

## XI. New Business

### • Resolutions

- **Resolution 091821-A – Resolution to Equally Distribute to Each Enrolled Member of the Quapaw Nation as of September 27<sup>th</sup>, 2019 the Entire Settlement Proceedings of \$137.5M from the Case of Thomas Charles Bear et al, Claimants, vs the United States, defendant number 13.51X, filed in the United States Court of Claims, and to Establish Bear Litigation Settlement to Ensure Equal Distribution to All Enrolled Members of the Quapaw Nation as of September 27<sup>th</sup>, 2019, Who Are Living at the Time the Settlement Funds Are Received by the Quapaw Nation.**

- **Motion by Guy Barker**
- **Seconded by Michelle Newton**

#### **Discussion:**

- **Callie Bowden:** this resolution is a result of the petition that was put out there, just so everybody understands that.
- **Lloyd Buffalo:** I would also stipulate that the only change I saw from the Petition was the change to the Resolution Number with today's date.
- **Chairman Byrd:** What was the date?
- **Lloyd Buffalo:** The resolution was changed to today's date, according to proper procedure.
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and the resolution is passed.**
- **Resolution 091821-B – Business Committee Member or Elected Official Conceal/Carry Arms.**
  - **Motion by Callie Bowden**
  - **Seconded by Lloyd Buffalo**
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and the resolution is passed.**
- **Resolution 091821-C – Utilities Assistance Benefit Increase**
  - **Motion by Guy Barker**
  - **Seconded by Callie Bowden**
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and the resolution is passed.**
- **Resolution 091821-D – Education Assistance Increases per Credit Hour**
  - **Motion by Michelle Newton**
  - **Seconded by Guy Barker**
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and the resolution is passed.**
- **Resolution 091821-E – Graduation Incentive Program**

- **Motion by Lloyd Buffalo**
- **Seconded by Callie Bowden**
- **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
- **The motion carries, and the resolution is passed.**

## **XII. Donation Requests**

- **Lincoln PTO (Golf Tournament)** – On behalf of Lori Shafer of Lincoln School, they are hosting a fundraiser today. It has become a great benefit. Five students and two teachers are Quapaw. Any donation will help. The funds benefit the school by supporting field trips, end of year awards, and the purchase of equipment and supplies for the kids.
  - **Motion by Michelle Newton to donate \$500**
  - **Seconded by Callie Barker**
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and the donation request is approved.**
- **Barry Lawrence County Development Center** – Requesting a gift certificate or a night/weekend stay to put in a basket for their auction. Callie wonders if this should go through Downstream. Chairman noted that it appears to take place in November, so we do have time. Callie clarified that they provide children’s services, and it is a good cause.
  - **Motion by Callie Bowden to send to Downstream.**
  - **Seconded by Lloyd Buffalo**
  - **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
  - **The motion carries, and it is approved to send the donation request to Downstream Development Authority.**
- **Presbyterian Church** – Requesting a donation to help support their Backpack Program.
- **Gracie Goodeagle:** The First Presbyterian Church in Miami sent a letter to the Quapaw Nation back in August, but we do not know what happened to the letter. The program supplies weekend meals to students at Roosevelt Elementary in backpacks. Each weekend, the backpacks contain two breakfasts, two snacks, and two dinners. Last year, they fed 20-70 students each week. They expect to begin with 65 students. The packs cost about \$250 per week and are funded by donations from the congregation and community. They hope we can increase our contributions.
- **David Foster:** I am in charge of the group that meets weekly and puts together the backpacks. Over the three years that I have been associated with the program, I have seen the number of backpacks almost double, from the 30s-40s to the 60s-70s. At the same time, due to COVID, donations from the congregation have fallen off, and our continued partnership is hoped for.
- **Eric Bohn:** In the past we donated meat sticks for the backpacks.
- **David Foster:** in the past the monetary amount was \$1,000 per year.

- **Motion by Callie Bowden to continue to contribute \$1,000 plus 100 lbs. of beef sticks.**
- **In-person community question (participant not recorded on video):** Are there any other products we could donate?
- **Callie:** That is the only nonperishable item we could offer.
- **Seconded by Lloyd Buffalo**
- **Vote 6 yes, 0 no, 0 abstaining, and 1 absent.**
- **The motion carries, and the donation request is approved.**

### **XIII. Open Forum**

**Chairman Byrd:** Since last month we have had a few members pass away; Gerald Hubbard, Tony Wyatt, Jr., and Katherine O’Leary.

**Lloyd Buffalo:** Lawrence Wood

A moment of silence was observed.

**Chairman Byrd:** In regard to the Quapaw Nation Youth Council, the Selection Committee will continue to receive applications until the five selections have been made. We want to develop their skills and knowledge in our businesses, our community, and our nation. Parents, this is a great opportunity, and the students will be paid. The applications are available on our website.

**Michelle Newton:** As a reminder for all of our tribal members, regarding our Afterlife Benefit forms, starting in 2019, when it switched back to the tribe, you have to get the beneficiary forms notarized. Patti has your previous forms on file, but the goal is to have them updated and notarized. This will be in the newsletter. Please stress this to your kids and grandkids. Notarizing it does not prevent you from changing your beneficiary, but we need something on file saying who is in charge of your benefits. The goal and the mission is to get those updated.

**Kayte Pratt, Zoom:** I have a couple of concerns: the minutes. It is great to have those minutes and agendas posted on the tribal website. I was appalled by the state of those minutes. At the bottom it states they were prepared in accordance with Robert’s Rules of Order, and they are not. One of the things I was dismayed at was that I was not identified properly, and my comments were not reflected in the minutes. Individual commentary is not really necessary for Robert’s Rules official minutes, but as you go farther up in the minutes, they are in terrible shape – there are misspellings, grammar, and proper names missing, and there is a long section where the Secretary-Treasurer. At one point the Secretary-Treasurer talks about his frustration, and uses the term “sedition,” just like “Last of the Mohicans,” when referring to Quapaw tribal members. It was hard to tell, because the grammar and punctuation was so odd – it looked like a poetry slam. It almost looked like the word “sedition” was referring to the tribal members that engaged in the petition drive.

These minutes will be part of our tribal history forever. They are a written form of you-all's business dealings as representatives, as elected officials for our tribe, and I think we can do better. There are a lot of resources available to be able to prepare minutes in accordance with Robert's Rules, and of course that is, as we know, the preferred method of how we communicate governance in our Governing Resolution. It even states we will use Robert's Rules.

I am going to circle around to my original concerns at that meeting were, first of all, I was unable to get in touch with any members of the Business Committee via email in regard to the distribution of the Treasury Money to the Quapaw members. I did not get one response from anyone. I wanted to know, what is your preferred method of people getting in touch with you? I was assuming that now would be the best one, and in some of the Secretary/Treasurer's comments, there were people who had reached out to him, and I was like, how does that happen? Do you stand in the parking lot, send up a flare – how does that happen? Could you let us know whether it is on the Quapaw Post, or any other official communication from the tribe - what's the best way to get in touch with our elected officials? You know, whether it is email – you could put your real email address on there, or if you have an official phone that you would like for people to contact with you, that would be super helpful as we move forward.

**Callie Bowden:** Kayte, may I answer your questions as you go, one at a time?

**Kayte Pratt, Zoom:** Oh, yeah, hang on, I will let you go - I will let you talk. Hang on just a minute. And then my second concern was: I keep asking this question and let me just back up. At the beginning of the year there was a distribution from the Quapaw Treasury to certain members, and it was authorized, apparently, by the BC and Secretary/Treasurer and stuff, and I understand that. In my mind, the Treasury is a common repository of all the monetary value of our tribe held communally. Once that money hits that Treasury, it belongs to everybody. If you all make the decision to redistribute that money, it is the responsibility of the Treasurer to let us know how that went, and that is what the question I had asked, and Mr. Barker did agree to provide an accounting. And what I mean by that, for those who are misunderstanding, that accounting is the total amount that was distributed, how much each individual beneficiary received, how much did it cost for the overhead – the administration, sending things out, postage – and if anyone you had to hire – did you pay any professional such as a CPA to get on it or an accountant to get on it, because usually they will verify what the methodology was. You know, was it based on, what was it based on, the methodology – how did you decide which beneficiary got what? And it is not important for this, for reporting to the tribe, that individuals are named – we do not have to have individual identifiers on there, even where they lived, or if they are all tribal members – there you go, that is enough - but to describe each and every transaction that happens, that is the real role and responsibility of the Treasurer, to report that, and Mr. Barker did agree to do that. So, when the minutes came up, and I saw how that was described, it is more

confusion in the minutes about this request. It is almost beyond a lack of communication or missed opportunities. It almost is seeming obstructionist at this point, because I do not know how much clearer that can be, the responsibilities of accounting for the activity within our Treasury. So go ahead and respond, if you would like.

**Guy Barker:** I would be happy to, because I think we moved past your questions a long time ago and on to you recounting what happened last month, which is reflected in the minutes and is also on video, and it is publicly available to the tribal citizens. But I will just go ahead and march down through these, one section at a time. We can be contacted via email. We clarified that last month. And going into this word we liked to use in that statement, reflected in the minutes by myself, the word “sedition” that you are using. I was not accusing tribal members of sedition. Actually, the word “sedition” was used in reference to myself, so I would like to you to go back and read that statement. So, I guess, further, these questions that you are now raising again were asked and answered – and reflected in the minutes - last month. And, where we have further clarified, again, your concerns with Treasury funds and Treasury monies – which we did not disagree with – and actually we did not even argue with you. But we did clarify that the funds which you are referring to are not Treasury funds. Those are trust funds, not Treasury funds, and have never been accepted into the Treasury – they still have not, to this day. So, your remarks about this being somewhat obstructionist are absolutely false. I am standing right in front of you, and I always have been – I am never going to hide; I am never going to shy away. I offered to make that information available. We are compiling it now, and it will be made available. So, I apologize, but I do take some exception to some of these statements – rather, “questions” - that you have. So, thank you.

**Michelle Newton:** I just want to reiterate - you continue to say that you cannot reach any of us. Well, let me give my email address. Make sure you have that correct, and I will give you my phone number as well. My email address is [mnewton@quapawnation.com](mailto:mnewton@quapawnation.com). I also checked last month, and this month, and I have never received an email from you as well. My phone number is 918-325-9195. Thank you.

**Lloyd Buffalo:** I do not recall receiving an email from you either, and my phone number is 918-533-1160, and has been for the last forty-some years. And there are people in this room that can tell you: I will answer your call. You may be late, and I am always busy. I will tell you this: you may not like what I say, but I am going to say what I think. Thank you.

**Callie Bowden:** In addition to all of those comments, I just put additional information on the chat screen. I included a link that will go to our website with our beautiful pictures and our phone numbers. I also sent the [Business.Committee@quapawnation.com](mailto:Business.Committee@quapawnation.com) website. This is a universal one that, if you send an email, it is going to just us up here. I, as well, did not receive an email from

you, and I double-checked and I believe we had IT check to see if it was in quarantine, and it was not there.

**Roman Kihega, Constitution Committee, via Zoom:** Good morning, everybody. This is our September Report for the Constitution Committee. We met on 9/11, which is our regularly scheduled meeting. We had three members in attendance. I heard Mr. Buffalo speak to a portion of this – I am not sure if he has this report that I am reading from, though. Attendance has been difficult for our secretary and duties, as well, and another committee member who has had trouble communicating and attending. After discussion, the Constitution Committee exercised its internal right to determine who the secretary would be, and to address our prompt communication needs, and the committee decided at that time that we would be better suited to have those duties kept internally, and John Rodgers is going to be assuming those secretarial duties for the committee.

Currently, the Constitution Committee is ironing out the framework and structures of the Constitution, guided by the General Council of 2021. At General Council, we asked the body what they wanted us to focus on first. The overwhelming consensus was to add checks and balances to our Constitution. As we know from our Governing Resolution, the roles of our BC are dated and ambiguous in definition at best. For us to begin to explore and establish a system of checks and balances, we felt that we need to be able to define the roles. For roles to be defined in legacy, meaning in documented form, and long-standing, we must be able to know what they are today, and we do not.

Since powers have been usurped by previous committee members, it is necessary for us to know where each member gets the authority to fulfill their elected roles, and what they do on a daily basis. And what we mean by that is that authority is given to the chairman, for example, by resolution, and any other resolution that the Business Committee authorizes, or the General Council authorizes. Unfortunately, we do not have a series of all of those authorities documented so that they are visible to us. We would have to go back and search, resolution by resolution, to find out where those authorities lie and how those came about.

It is easy for the Constitution Committee to define those roles ourselves by looking at other tribes, other nations, other boards, looking at other governments to see how they define those roles. However, it is most important for those who are serving and who have served those roles to tell us what they actually do. We are not every other tribe. We are not every other government, and we do not want to tell you what you should be doing if it is not in line with what you actually do. So, with that being said, this is why the Constitution Committee has created a survey for Business Committee members, past and present, to fill out. This will provide us with the information needed to draft a set of defined roles. Those roles would then be voted on and enshrined by the citizens of the Quapaw Nation at General Council or in special election, however we see fit to go about that. We have also asked the BC

to share with us a log of their day-to-day activities for the calendar month of October. Mr. Buffalo also spoke to something about September, and I cannot find anything in my communication with the BC about that, so there might have been something misinterpreted, so I apologize about that, but what we are asking for is the calendar month of October. This log would not identify anything confidential and would give the Constitution Committee a general reality of the elected officials' countless hours that they put in and would help us identify the balance aspect that the General Council was asking for. So, while in office, to get us the balance aspect, and also allow us to present a solution for life after Committee, members potentially term out of office, and this was an additional piece that we started discussing. We know that the careers and lives get set aside for our people, and we want that to be able to be communicated with cold hard data. This data will also include in the roles so that when a Quapaw citizen runs for office, they actually know what they are running for, and the duties and time commitment that will be expected from them. If somebody has to set a career aside to serve their nation, we want to honor that and respect that, and we want to be able to set those individuals up so that they are not, in a way, being punished for setting aside their career to want to do the greater good for their nation. And this is also going to tell us why is it that some weeks have heavier workloads and other weeks do not

So, the Constitution Committee has put its attention towards everything that I have just mentioned, yet we also believe there is a handful of other items the BC can also help us expedite in other areas. This sounds heavy and scary – and it is - but also rewarding and freeing at the same time. So, we can talk about this: the Constitution Committee has a meeting requested for 9/23, requested by the BC, and we can talk about this more then. I wrote this out at length, but I am going to basically paraphrase. What we would be asking is that we would ask the BC to use its authority to call special General Councils so we can remove language from our current Governing Resolution, and the language that we would want to be removing – and this comes from a lot of different conversations that I have had, as well as when I am looking into the legal framework of what we are doing – is everything that has to do with our nation having reliance on the Commissioner of Indian Affairs, the Secretary of the Interior, or the Bureau of Indian Affairs. And all of this authority would come from Section 14 of our Governing Resolution – which, to amend our Governing Resolution, does not require the approval of the Secretary of the Interior, does not require the approval of the BIA, so we would be well within our rights to remove that language in other sections of our Governing Resolution, and we can talk about this in more detail.

There are 5 places that I have found and one place where language needs to be clarified. So that would be that portion of the amendment. The other portions would be that the BC has the authority, right now, to create an ethics and conflict of interest policy and add that to our Governing Resolution. The BC has the authority to put make any alterations to the Grievance Committee (i.e., adding a few members), but we also want to request that the BC clarify and codify the authorities of the

Grievance Committee and give the power back to the Grievance Committee that has been stripped throughout the years through a few resolutions (I have found a couple, personally, by looking into them). But to have that really enshrined in our Governing Resolution right now, and that would be giving the power back to us.

So, it is not things that the Business Committee would be taking away to give themselves, but it is giving additional authorities back to the people of our tribe. The ultimate goal of all of this is that I have a conversation going to see if we can avoid a secretarial vote altogether, because, as we know, the Quapaw Nation is an IRA tribe; we created our Governing Resolution because we were deemed “unorganized” by the Secretary of the Interior, and we organized ourselves. And in that organization that was accepted, there is no language, according to Title 25, to have a secretarial vote, so all of these steps are really just to make sure that we have all of that in place. Business Committee, you would be running this through legal interpretation starting with the Solicitor General. This is all the stuff that I’ve found to be accurate to the best of my interpretation so far, and I have not found anything to conflict [sic] it.

These, in our opinion, can be held as individual votes, and at the special General Council, whenever they come to the table, they do not have to be a carte blanche approval. If there is anything in one item that they do not like, we are not missing everything. This is going to expedite our process dramatically. Whereas before, there was an anticipation of a two-and-a-half to three-year process, I am confident that if a lot of these things could be met, then we could have a draft to the General Council next year, and that pending amendment and further review, can possibly be, next year, or at a special General Council to approve that, the final, in the following year. So, in essence, we could save ourselves a year to a year and a half by doing this. All of the things I’m talking about with amending our current governing resolution could directly be adopted into the constitution of the Quapaw Nation, so that is the benefit of us being able to alter and remove language that, one, demands and confirms our sovereignty without the approval of an outside government or entity, and then, two, codify everything in the authority given back to the Grievance Committee, and the Business Ethics and Conflicts of Interest codified in the Resolution to limit authorities or powers in certain ways.

These are things that we need, and that the BC wants to be expedited, and these are things that can be started today, if we want to put in the work to do that. What the Nation could expect from us is more discussion regarding titles of our BC and potential elected officials that the new system of checks and balances may hold. We are going to search for additional ideas surrounding that proposal that we will be presenting, but we will also be seeking additional feedback regarding specific traditional principles – things like respect, reverence, kindness – that can be incorporated into our living document. We will also be seeking additional feedback after we receive the results from the BC regarding terms and term limits. I spoke to this at General Council, and I think that I did an injustice to the GC by asking their

feedback and not the input of the BC and members who have served those terms also. We will be resubmitting those after we get feedback from the BC.

And that is where we are. It has been busy – we are currently going to be putting together that latter part and also will be meeting with the BC on September 23<sup>rd</sup> at 6 pm, and then will hold our regularly scheduled meeting on October 9<sup>th</sup> at 9 am. BC, you have a standing invite like before. We use the exact same link so you can always join whenever you want. And that is all I have. One last thing: is this the proper place, in open forum? We started doing this in Open Forum because it allows the opportunity for questions and additional discussion, rather than providing a report and ending the report. Would it be preferred to be doing this in Committee Reports, or do we want to continue to do it in Open Forum where questions can be asked and discussion could be had? Other than that, that is all I have.

**Chairman Byrd**

I would say, just to keep everything consistent, request to be placed on the agenda, just like the rest of our subcommittees.

**Lloyd Buffalo**

Roman, my comments earlier in this meeting meant no disrespect to you and your position. I can only make judgments and make comments on what I see in black or white. In the middle of your dissertation, I caught your apology for the wrong date on the report. I accept that apology. My reaction is always going to be on the information in front of me. I have to determine whether it is right or wrong. The wrong date was in your report. But I accept your apology.

**Roman Kihega, Zoom**

I appreciate that. Can I ask which report? Can you forward that report to me? I don't recall seeing something with the wrong date.

**Chairman Byrd**

In anticipation of our September 23<sup>rd</sup> meeting, I would like to at least see some words on the page. As we come up on a year now since creating this committee, I would at least like to see a preamble and some guiding principles – something – so that is what I am going to be cuing in on in our next meeting – because I think we have a lot of things I would like to put in there as well, and it has to do with separation of powers, the judiciary – I do not know if you have contemplated that – and then also individual rights that can be contained in either a Bill of Rights or the Indian Civil Rights that we can adopt straight into our Constitution – those are the things I am going to be discussing or bringing to the table next week, so get ready.

**Roman Kigehe, Zoom**

Absolutely, and just to speak to that, yes, we are looking at ECRO using the UN's principles for indigenous peoples, and we are looking at the tribal courts for the government and an additional executive branch. The BC would continue as it is

supposed to be, but we are presenting creating an exec position that would oversee spending and decision-making – executive committee. The grievance committee is the closest body to the people, and anything they can't oversee would be in the jurisdiction of the tribal court.

**Kelly Flanagan, Zoom:** Is there a powwow grounds update?

**Chairman:** there is none.

**Kelly Flanagan, Zoom:** I congratulate those re-elected. I have asked the last couple of meetings about powwow grounds since that was determined at general council and there have not been any updates. Has there been discussion or progress made on how the arena and grounds are going to be changed? There are families whose sites need to be upgraded, especially the plumbing and electricity.

**Chairman:** Those are on the priority list, as well as showers and bathrooms. The longhouse and arena have been put to the side for now in the interests of time and we want town hall inclusion once we are prepared, and we will share our ideas for the budget for that project. Right now, there is a wrinkle – some other variables – including the successful completion of the admin parking lot that overlaps into the campground area, and as you heard from the Elders' Committee, we may have an October dance. Once we have the information gathered and a plan of attack, we will share that with the community and get their input as well.

**Kelly Flanagan, Zoom:** During the Bear memorial dinner, I was at Downstream and heard guests complaining about Legends not being open. They said that if there wasn't going to be entertainment or food, why would they want to come back? So, she questioned employees about it, and the employees responded that they don't get paid enough so the buffet and Legends are not always open. I was in the hotel for four days and didn't get my linens or towels changed, had to find someone to get coffee packets, and my trash wasn't taken out. Same issue at General Council – we didn't have housekeeping for one day, and trash was piling up because I had three big grandkids with me. Are there thoughts or progress towards opening the restaurants and giving employees good benefits?

**Guy Barker:** Legends had reopened. We had 8 dishwashers affected by COVID, which caused us to close for a couple of hours a day so we could serve the buffet. We continue to hold career fairs; we're competing with the Federal Government for labor. We offer the most comprehensive benefits plan of any casino in the region, and we're looking at a cash replacement of benefits option for those who do not need the benefit. We are working on the cafeteria plan to make that available, and it has been a much more complicated process than we had anticipated. We did continue to run into not so much attraction issues with employees, but we still have a very militant policy towards quarantining employees, which as the Delta variant reared its head, we had complications. As vaccination rates have gone up from 17% -

which is embarrassingly low – which then caused us to close due to short staff – we instilled an incentive polity and have now tipped over 72.6% - quite the whiplash but we are getting there. We have not had any other confirmed cases, and as long as we can keep it that way, we can stay open.

**Kelly Flanagan, Zoom:** There is a man who works at the pool – Kevin? – kudos because he is super friendly and attentive – he was there in July and again in August. Very helpful. Great employee.

**Chairman:** We will track him down and ensure he gets the recognition.

**Kelly Flanagan, Zoom:** It was hot, but he was running around, picking up towels and trash, and being super nice to everyone. As you know, I do not live in Miami, but in OKC, and I was wondering if, as an out-of-towner, how I can be involved with our tribe and contribute.

**Chairman:** There are several committees, if you would like to volunteer -how about a phone call this coming week?

**Kelly Flanagan, Zoom:** That will be great, and congratulations again.

**Janet Sadeghi, Zoom:** On the Quapaw Post site, you can submit questions/comments. I submitted some and did not get a response, so I mentioned my frustration on the QN Facebook page. I was greeted with a snarky response and did not get my questions answered. The questions were not offensive. The Post is supposed to foster communication. I am very offended that whoever is responding on the Post is being snarky.

**Chairman:** I am sorry for your experience, and I would like to try to answer your questions today, with the understanding that our PR person for the tribe took a different position, and we had a backlog of newsletters that the tribe was not receiving. We made a push, in connection with our ideas of transparency and having the citizenry participate in the news, and so some of these things are new and have taken a hard push to get these things off the ground. It is good to hear your feedback, even though it is negative, so we can improve.

**Janet Sadeghi, Zoom:** Who edits the Post, who submits the articles, why are no authors cited? For instance, if I read an article and wanted to participate or help or ask questions, there is no information to follow up with. It is not okay to give a snarky, crappy answer and then not answer the questions, and whoever hides behind the QN Facebook page does not have the right to behave that way to tribal members.

**Chairman:** As we continue to put out these pieces, we will include authors and provide accountability on that end. If anyone has feedback on how this newsletter should be shaped and delivered, please give it – it is for you. Janet – thank you.

**Kathryn Supernaw:** Thank you for 09-18-21A unaltered passage of resolution. Many are under the impression that the BC thinks the Department of the Interior is the appropriate body to distribute the funds. Was hoping to ask directly whether this is the appropriate body versus the tribe or a bank and why.

**Michelle Newton:** In the original document, that was the agreement. I'm torn. Knowing the previous situation, when it comes to money, I don't want to be in any position to be accused of stealing money, even though I know I would be totally innocent of that. The government did us wrong to begin with and it's their job to make it right.

**Guy Barker:** Starting from the very top, that was heavily negotiated by the Department of the Interior, which attorney Anthony Wong took exception to under the previous Chairman. In terms of if/then, and why I am in favor of the petition, is the Department of the Interior has the discretion to pass the fund to the tribe and let us distribute.

**Chairman:** The Department of the Interior has the capacity to make the distribution, and I would echo the Secretary/Treasurer and Michelle that when it comes to distribution of settlements, there has been a lot of apprehension and conflict, and I'd like to avoid that.

**Callie Bowden:** I am in agreement all the way down the line. If we contact a bank and then make the bank responsible for the distributions, we have a lot of gypsy tribal members. It costs money to track them down. Let it be on the Department of the Interior's dime, not ours.

**Lloyd Buffalo:** I see no cost to us from the Department of the Interior, while the bank could cost us millions. We cannot pay the distributions in their entirety if we have to take some of the money out to pay the banks, so unless someone can convince me that a bank will be less costly, I'm in favor of the Department of the Interior.

**Jeremy Olsen:** I agree with Lloyd.

**Kathryn Supernaw:** We have heard the BC settlement agreement documents filed in late '19-early '20 included the selection of language. I have seen the documents and I don't see the references the BC says are there stating the Department of the Interior has a role; all I see is that we cannot go back on the Department of the Interior if the settlement is messed up.

**Guy Barker:** No problem.

**Kathryn Supernaw:** When can that be expected, and will they be on the website or email?

**Guy Barker:** How would you prefer?

**Kathryn Supernaw:** Email, because they are lengthy.

**Guy Barker:** Yes, because there are executive summaries that need to be addressed and the other government departments do not want to assume risk for an error committed by another department. As a matter of civics, the Department of the Interior has to be involved as directed by Congress.

**Kathryn Supernaw:** Thank you. I appreciate that. What else can we do to get the references to landowners changed? Congress does not know anything about us. What can we do to get those language points updated?

**Guy Barker:** And specifically, the short title needs to be updated. I have notified committee members that “landowners” needs to be removed and invited tribal members’ comments, but the key is to understand that “short title” means 5-6 words. Congressional staff is just now returning from their August recess. My concern is: I want to do this once. If we do this every few months it will rob us of credibility, and from a Congressional standpoint, this will show them that we do not know what we want, so it needs to be solid and done correctly once, so I need input and closure so we can march it through the process.

**Kathryn Supernaw:** Just remove landowner. It came to my attention that Stewart McCallan was hired by the Quapaw Nation. What was the goal?

**Callie Bowen:** We got some fresh blood and found people we are comfortable with. He is our lobbyist and is working to push this through.

**Guy Barker:** Mr. McCallan is our licensed lobbyist through our federal agreement. There is a concerted effort to reduce these expenses, which we’ve done by a million a year, and legal expenses by \$2M year-to-date. He also represents the Chickasaw Nation and OSU. He was a former Inhofe staff member and employee of the Pentagon. He is a Tulsa native and has been a licensed lobbyist for 20 years. Extraordinarily experienced, very charismatic. Very effective. A Chickasaw nation member and veteran.

**Kathryn Supernaw:** There was a September 8<sup>th</sup> article about the Bear settlement – I cannot remember the source – but I was hoping Guy could expand on this. It refers to environmental damage. What was the purpose?

**Guy Barker:** It came from Alison Herrera and KOSU. She saw the BC last month and asked us for comment and color. I had a 30-minute conversation and agree that the distillation of my comments was not accurate. There is a lot of interest in environmental topics and that may have been of professional interest to her.

**Anonymous Zoom question:** “But there are two separate plaintiffs in the Bear settlement, aren’t there?”

**Guy Barker:** That is true; both the Goodeagle and Bear suits had plaintiffs who negotiated their own settlements.

**Bonnie Gilmore-Shaw:** On the Bear settlement, I know the Goodeagle settlement took 18 years. Can my settlement be left to my children, or once you are dead, that is it?

**Guy Barker:** A lot of the focus of our legal discussions have been on questions of survivorship. We will continue to discuss, and I will get back with you.

**Bonnie Gilmore-Shaw:** Is the BC taking over the direction of Quapaw Casino Authority?

**Chairman:** Yes. The BC was already performing and had oversight over that, so just as the DDA was brought under the oversight of the BC, no volunteer positions are permitted and are instead elected.

**Bonnie Gilmore-Shaw:** I was bitten by a brown recluse, and I live in elder housing. Can you spray more often than 3 months? No. I bought my own spider repellent at Lowe’s. They do not spray the garage or outside and they are done. I do not consider that spraying.

**Chairman:** I agree. Thank you for bringing that to our attention.

**Bonnie Gilmore-Shaw:** I had to go to a doctor and get a very strong antibiotic.

**Chairman:** Regardless of how it happened, we will be following up with housing to look at different options – bombs and sticky traps – because if it is happening at your place, it is happening to others. Thank you for bringing it to our attention.

**Brenda Murray:** I was chairman of the Housing Committee until it was disbanded about 5 years ago. I started it and wrote the resolutions for it. We used to have an inspector who did inspections on the housing every month. We also did sprays, but we checked for repairs or anything they needed. From what I am hearing, it sounds like there isn’t anyone checking on them. We did Christmas baskets and other things for them. It sounds like we need to have a housing committee.

XIV. Closed Session NONE

XV. Benediction: Jeremy

XVI. Adjournment:

- Motion by Lloyd Buffalo
- Seconded by Guy Barker
- Vote 6 yes, 0 no, 0 abstaining, and 1 absent.
- The motion passes, and the meeting is adjourned at 11:20 am.

/s/ Guy Barker

Guy Barker, BC Secretary-Treasurer

Minutes Prepared in  
Accordance with Robert's  
Rules of Order

By: /s/ Ann Courtney

BC Executive Secretary

#### **CERTIFICATION**

Approved by the Quapaw Nation Business  
Committee on October 16, 2021, with a vote  
reflecting **6** yes, **0** no, **0** abstaining, and **1** absent.