

# Business Committee Meeting Minutes

*RBCM Mini-minutes*

*April 20, 2011*

Please be advised that the following official actions taken by the Business Committee in a Regular Business Committee Meeting held on the 20th day of April 2011 are to be followed-up by the appropriate departments/personnel:

(1) Motion was made to approve the Special Business Committee Meeting Minutes dated April 05, 2011 with corrections.

VOTE: George Thurman Yes, Cheryl L. McClellan Abstain, Jacklyn K. Williams Yes, Randle Carter Absent, Stella Nullake Yes. Motion carried.

(2) TABLED Fiscal Year 2011 Hazard Mitigation Plan Budget Modification #1 to the next meeting, May 13, 2011.

(3) Approved Resolution SF-11-128, a resolution approving and authorizing the submission of an application to apply for Funding of the 48 Annual Sac and Fox Nation Pow-Wow through a Grant with the Oklahoma Arts Council.

VOTE: Cheryl L. McClellan Yes, Stella Nullake Yes,

(4) Approved Resolution SF-11-129, a resolution approving the Fiscal Year 2011 23% Maintenance Facilities & Grounds Budget Modification #2 in the total funding amount of Three Hundred Thirty-One Thousand One Hundred Nineteen Dollars (\$331,119.00). The funding source is identified as the FY2011 Revenue Allocation Plan Gaming Revenue per approved Governing Council Resolution SF/GC-11-03, line 23. The reduction in funding is due to an Indirect Cost Allocation in the amount of Thirty Thousand Six Hundred Seventy-Seven Dollars (\$30,677.00) to provide for additional Maintenance Personnel Salaries and Fringe.

VOTE: Jacklyn K. Williams Yes, Randle

Carter- Absent, Stella Nullake Yes, George Thurman Yes, Cheryl L. McClellan Yes. Motion carried.

(5) Approved Resolution SF-11-130, a resolution approving the submission of an Application to the United States Environmental Protection Agency Clean Air Act Section I 03 Project for the total amount of Seventy-One Thousand Dollars (\$71,000.00).

VOTE: Randle Carter- Absent, Stella Nullake- Yes, George Thurman- Yes, Cheryl L. McClellan- Yes, Jacklyn K. Williams-Yes. Motion carried.

(6) Motion was made to accept the Memorandum of Agreement between the Sac and Fox Nation Food Distribution Program and Oklahoma DHS Family Support Services Division Supplemental Nutrition Assistance Program (SNAP), as presented.

VOTE: Stella Nullake- Yes, George Thurman- Yes, Cheryl L. McClellan- Yes, Jacklyn K. Williams- Yes, Randle Carter- Absent. Motion carried.

(7) Motion was made to accept the bid from Wallace Pools & Spas Inc, Tulsa, Oklahoma, for a total cost not to exceed \$411,176.00 for the swimming pool project.

VOTE: George Thurman-Yes, Cheryl L. McClellan-Yes, Jacklyn K. Williams- Yes, Randle Carter- Absent, Stella Nullake-Yes. Motion carried.

(8) Motion was made to accept the bid for our Pavilion Project and go with White Lumber/Coast to Coast with a total amount not to exceed \$19,822.00- fm; 28 additional pavilions.

VOTE: Cheryl L. McClellan-Yes, Jacklyn K. Williams-Yes, Randle Carter- Absent, Stella Nullake - Yes, George Thurman-Yes. Motion carried.

(9) TABLED Pavilion Placement (and Discussion of Project Management) to the next meeting, May 13, 2011, for a recommendation from the Tribal Administrator and Acting Maintenance Director.

(10) TABLED Authorization to solicit bids for additional parking until after the meeting on Friday, April 22, 2011.

(11) Motion was made to approve the Friction Motor Sports (FMS) to use our property at the Tanger Mall Site on the dates, May 7, June 4 and July 2nd pending an Agreement approved by the Property & Procurement Department and Contracts Department.

VOTE: Jacklyn K. Williams-Yes, Randle Carter- Absent, Stella Nullake- Yes, George Thurman- Yes, Cheryl L. McClellan- Yes. Motion carried.

(12) Letter of Commitment, Kay Bills, SNAP Business Acceleration Centers PTAC Application. Principal Chief Thurman called for a motion for a Letter of Commitment for the SNAP Business Acceleration Centers. No motion was made, after 3 calls were made. This was Discussion Only.

(13) Approved Resolution SF-11-131, a resolution authorizing and approving the Agreement between the Sac and Fox Nation and Wallace Pools and Spas, Inc., Contract #2011-02-03. The funding source is identified as the Fiscal Year 2011 Revenue Allocation Plan Line Item 53, Budget not to exceed \$400,000.00, with the funding source of \$11,176.00 to be identified by the Business Committee at a later date.

VOTE: Randle Carter- Absent, Stella Nullake- Yes, George Thurman- Yes, Cheryl L. McClellan-Yes, Jacklyn K. Williams- Yes. Motion carried.

(14) Motion was made to accept the bid for the Sac and Fox Nation Basketball Court from Don Wilson Backhoe Service, Cushing, Oklahoma, not to exceed \$23,585.00 which will include installing the basketball goals and painted court lines. VOTE: Stella Nullake - Yes, George Thurman - Yes, Cheryl L. McClellan - Yes, Jacklyn K. Williams- Yes, Randle Carter- Absent. Motion carried.

Agenda concluded, entered Executive Session at 3:37 p.m. Out of Executive Session at 5:30 p.m. Agenda Item !!: is being Tabled and will be brought back to the next meeting, May 13, 2011.

By consensus of the Business Committee the meeting adjourned at 5:30p.m.

TABLED Items from the Agenda:

a. Fiscal Year 2011 Hazard Mitigation Plan Budget Modification#1.

h. Pavilion Placement and Discussion of Project Management.

i. Authorization to solicit bids for additional parking.

## NEXT BUSINESS COMMITTEE MEETING DATES:

Carolyn Fite-Recording Secretary: Special Business Committee Pre-Meeting May 9, 2011

Special Business Committee Meeting May 13, 2011

Berdina George- Recording Secretary: Reg. Business Committee Pre-Meeting May 23, 2011

Reg. Business Committee Meeting May 24, 2011

## Chief's Address To The Nation

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could have on tribes. The Meskwaki Tribe, the Omaha Tribe and the Winnebago Tribe operate Class III facilities in Iowa. If the state legalizes Internet gaming, the tribes will probably be able to offer it, according to one official. "I would lean toward they could probably do whatever they want. I wouldn't hang my hat on that you could prohibit the tribes from providing any gambling that they would like," Jack Ketterer, administrator of the Iowa Racing and Gaming Commission, told lawmakers on Tuesday. Federal law bans Internet wagering but exceptions are allowed under state law or tribal-state Class III compacts.

### Online Poker Would Let Native American Casinos Expand

As Native American gaming has become a \$26 billion industry, federal oversight of the business is changing with tribes in favor of what they are seeing.

A three-member National Indian Gaming Commission (NIGC) panel appointed by President Obama has been consulting with tribal governments on the statutory limits of the agency's jurisdiction over Class III, casino-style gaming. Tribal leaders are calling the department's approach a dramatic change from the agency's methods under President George W. Bush. Teri Poust, former NIGC commissioner and member of the Poarch Band of Creek Indians said, "I really like the approach they are taking. The regulations have gotten old. An overhaul is due... I like that they are listening to Indian country."

Many feel that the approach taken by the Obama NIGC is more consultative and less hard-line when compared to the Bushera NIGC.

Tribal regulators said that the approach to federal oversight of Indian gaming under the Bush administration was appropriate because the industry was maturing and tribal regulatory agencies were not as sophisticated as they are today. Many say that the approach taken by the former administration is no longer required.

Joe Valandra, a Sicangu Lakota who served as chief of staff for two years to former NIGC Chairman Phil Hogen said, "Collaboration between tribes and the federal government is the way to proceed.

### NCAI Alert – News & Updates for Indian Country

The National Congress of American Indians continues to work for Indian Country in our nation's capital, monitoring

legislative activities and ensuring the federal government honors the trust responsibility. This update provides a preliminary overview of the impact of the FY 2011 budget deal on tribes as well the outlook on the longer-term budget battles that lie ahead in FY 2012 and beyond.

### FY 2011 Appropriations

Yesterday, Congress passed the FY 2011 spending agreement, H.R. 1473, which funds the government through September 2011. The President, Republicans, and Democrats finally reached a deal on how to fund the remainder of FY 2011. Government agencies were operating under a series of continuing resolutions, the latest of which funded agencies through April 15. Overall, the FY 2011 bill cuts almost \$40 billion from FY 2010 levels, but these cuts are applied proportionately to the remaining five months in FY 2011. Below is a summary of some of the major programs that affect Indian Country. Given the environment, Indian tribes did fairly well, with level funding or only modest reductions in most programs. (The numbers below do not include a 0.2% across the board reduction for all non-defense accounts.)

### Bureau of Indian Affairs

The bill includes \$2.6 billion for the Bureau of Indian Affairs, a decrease of \$20.4 million from the FY 2010 enacted level and \$11.5 million below H.R.1. This amount includes \$2.3 billion for the operation of Indian programs (OIP), which is a 0.06% cut for OIP, or \$1.45 million below FY 2010. \$210 million is provided for construction of education, public safety and justice facilities, which is \$15 million below the FY 2010 level.

### Indian Health Service

The bill includes \$4.1 billion for Indian Health Service programs, an increase of \$25 million over the FY 2010 enacted level and a decrease of \$62 million from H.R. 1. Within that overall amount, \$3.7 billion is recommended for the health services account, which is \$15 million over FY 2010 and \$288.6 million less than the President's budget proposed for FY 2011.

\$404.8 million is recommended for the health facilities account, which is \$10 million over the FY 2010 enacted amount and \$40.5 million less than proposed in the FY 2011 President's budget.

### Housing and Urban Development

The bill includes \$650 million for the Native American Housing Block Grant

program, an increase of \$70 million above the budget request and a decrease of \$50 million below FY 2010 enacted. The bill also includes \$65 million for the Indian Housing Block Grant Program, within the Community Development Fund. This level of funding is equal to the FY 2010 enacted level; H.R. 1 does not include this set-aside.

### Department of Justice

The language of sec. 1331(a) of the bill reduces Department of Justice (DOJ) State and Local Law Enforcement Assistance - where the four Indian Country law enforcement components were in FY 2010 - from \$1.535 billion to \$1.120 billion, a cut of \$415 million or 27 percent. (Subsections b and c provide totals for Juvenile Justice and COPS.) Subsection (d) directs that each set-aside in the account shall be reduced proportionately to reflect the level provided, except that there are exceptions provided in sec. 1321. The FY 2010 State and Local total of \$1.5 billion had 29 "set-asides," a large one of which is not subject to the proportionate reduction under (d). So, this means that the other 28 "set-asides" will likely take a reduction greater than 27 percent to make up for the "exempt set-aside."

### Other programs

Head Start is funded at \$7.6 billion, \$340 million above the FY 2010 enacted level and \$1.4 billion above H.R. 1. The U.S. Department of Agriculture Office of Tribal Relations is funded at \$499,000, which H.R. 1 had zeroed out. The Environmental Protection Agency was reduced overall by \$1.6 billion or 16 percent below FY 2010. Community Services Block grants are funded at \$680 million; \$20 million below the enacted level and \$285 million above H.R. 1. The Maximum Pell Grant award is maintained at \$5,550.

### FY 2012 Budget Resolution

The FY 2011 debate presages the upcoming FY 2012 debate on the budget resolution and the debt limit. Questions remain unresolved about how to address longer-term structural deficits and debt. House Budget Chairman Paul Ryan, unveiled his FY 2012 budget resolution on April 5. The House FY 2012 Budget Resolution sets the overall framework for the allocation to the House appropriations committee and subcommittees. On April 13, President Obama announced his own deficit reduction plan to cut \$4 trillion in debt over the next 12 years. His proposal includes a combination of spending cuts

and increased revenues generated by a tax code overhaul.

Fortunately, the Administration's FY 2012 budget proposed funding for many Indian programs at flat or increased levels. The President proposed a 14 percent increase for IHS, level funding for BIA, and increased funding for DOJ programs. Indian Country is in a very unique situation right now. While many of the traditional programs serving tribes have been relatively spared from the deep cuts that other agencies have seen, the upcoming pressures on the domestic side of the budget are going to be very intense. Congressman Ryan's FY 2012 budget resolution plan would get about two-thirds of its more than \$4 trillion in budget cuts over 10 years from programs that serve people of limited means. Ryan's proposed \$4.3 trillion cuts over ten years amount to the most severe budget cuts in U.S. history. The cuts are offset by \$4.2 trillion in tax cuts. In the Ryan budget resolution, total spending for non-security discretionary programs would be cut by one-third by 2021, compared to the FY 2010 level adjusted for inflation. The cuts required in this part of the budget would be much deeper than those in budget deal for FY 2011.

### Short Takes

We welcome these new employees to our Sac and Fox Nation Government. They were hired on 4/12/2011:

Jamey Noble  
Temporary Landscaper Maintenance  
Russell Saunders  
Temporary Landscaper Maintenance  
Brenda McGinnis Laboratory Technician  
Black Hawk Health Center  
Matthew Willis Police Officer/PD  
Robert Baysinger Police/Range Officer  
Police Department  
Kimberly Speight, Resident Advisor  
Juvenile Detention Center

Let's continue to keep the communication open between our tribal government and tribal membership. If you call me and I forward your call to the department that can answer your questions, I do so to expedite getting an answer to you as quickly as possible. I may be in meetings either at the office or away from my office and want you to be responded to as soon as possible, thus the person that I forward your message to knows to return your call because I have instructed them to not delay. Sincerely,  
George Thurman, Principal Chief

