



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, May 8, 2013

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Chairman Ed Delgado, Vice Chairman Greg Matson, Treasurer Tina Danforth, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan; **Not Present:** Council members Brandon Stevens, Paul Ninham; **Others present:** Donald A. Davids, Barb Skenandore, Jeff Prevost, Chaz Wheelock, Geraldine Danforth, Lorna Skenandore, Janice Jourdan, Robin Doxtater, Elizabeth Hopewell, Jenny Webster, Jeff Carlson, Jim Skenandore, Barb Kolitsch, Elaine Reed-Doxtator, Susan White, Wilbert Rentmeester, Wayne D. Metoxen, Linda Jenkins, Beth Schirk-Smith, Pat Cornelius, Don Lilly, Michelle Mays, Linda S. Dallas, Cathy L. Metoxen, Linda Verheyen, Carol Bauman, Shad Webster, Reggie Doxtater, Larry J. Cornelius, Alex Powless

I. Call to Order and Roll Call by Chairman Ed Delgado at 9:05 a.m.

II. Opening given by Randy Cornelius

A. Special Recognition – Years of Service: 30 years-Jeffrey L. Prevost, David S. Charles, Linda R. Verheyen, Jennifer A. Webster; **25 years**-Robert A. Fresen

III. Approve the agenda

Motion by Patty Hoeft to adopt the agenda with the following changes: additions to open session 1. Approval of a letter to State of Wisconsin regarding Gaming Facility Licensing 2. Approval of the May 2, 2013 CDPC Meeting Minutes, 3. AmeriCorps request; additions to executive session 1. Recommendation to retain Godfrey & Kahn legal services 2. Request from Audit Committee regarding high risk findings enforcement 3. Proposed contract with Bonnilake Real Estate; Move to the top of the agenda 1. Approval of a letter to State of Wisconsin regarding Gaming Facility Licensing followed by 2. Audit Committee High Risk Findings Enforcement, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan

Not present: Brandon Stevens, Paul Ninham

IV. Oaths of Office administered by Secretary Patty Hoeft

1. Election Board alternate – Elizabeth Hopewell

2. Audit Committee Community Tribal member – Jim Skenandore Jr.

V. Minutes to be approved

1. April 24, 2013 regular meeting minutes

Motion by Patty Hoeft to approve the April 24, 2013 regular meeting minutes, seconded by David Jordan. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Abstained: Melinda J. Danforth

Not present: Ed Delgado, Brandon Stevens, Paul Ninham

2. April 30, 2013 emergency meeting minutes

Motion by Patty Hoeft to approve the April 30, 2013 emergency meeting minutes, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Ed Delgado, Brandon Stevens, Paul Ninham

VI. Resolutions

1. Adoption of the Family Court Law

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to adopt resolution 05-08-13-A Family Court Law, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Ed Delgado, Brandon Stevens, Paul Ninham

VII. Reports

1. New York land claim settlement monthly report – Ed Delgado

Motion by Patty Hoeft to accept the verbal New York land claim settlement monthly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan

Not present: Brandon Stevens, Paul Ninham

2. Governmental Services Division – Don White

Motion by Patty Hoeft to defer the Governmental Services Division report to the May 22, 2013 Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Not present: Ed Delgado, Brandon Stevens, Paul Ninham

3. Human Resources Department – Geraldine Danforth

Motion by David Jordan to accept the Human Resources Department report, seconded by Patty Hoeft, Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan

Not present: Brandon Stevens, Paul Ninham

*Paul Ninham arrived at 10:37 a.m.

VIII. Boards, Committees and Commissions

A. Appointments

B. Quarterly reports

1. South Eastern Oneida Tribal Services – Pamela Ninham, Chairwoman

Excerpt from April 24, 2013: Motion by David Jordan to defer the South Eastern Oneida Tribal Services quarterly report to the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously.

Motion by David Jordan to accept the South Eastern Oneida Tribal Services quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

2. Oneida Land Claims Commission – Amelia Cornelius, Chairwoman

Motion by Patty Hoeft to accept Oneida Land Claims Commission quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

3. Oneida Land Commission – Amelia Cornelius, Chairwoman

Motion by Patty Hoeft to accept the Oneida Land Commission quarterly report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

4. Oneida School Board – Susan White, Chairwoman

Motion by Patty Hoeft to accept the Oneida School Board quarterly report, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

a. Approve procedural exception to hiring component of the Memorandum of Agreement between Oneida Business Committee and Oneida School Board

Sponsor: Greg Matson

Motion by Greg Matson to approve the procedural exception to hiring component of the Memorandum of Agreement between Oneida Business Committee and Oneida School Board, which requires three school board members to be present for the hiring process and the March 12, 2013 interviews were held with two school board members, due to an illness of the third board member, seconded by Vince DelaRosa, Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Tina Danforth

Not present: Brandon Stevens

For the record: Tina Danforth stated that it's advisable that the school board have an alternate school board member in case that this happens in the future that somebody is unable to make an interview or that you have alternative days scheduled as well. Like if you can't meet on this day because you don't have necessary parties that you have a subsequent day.

Motion by Tina Danforth that the sublease be finalized no later than May 28, 2013. In the event the sublease is not thoroughly vetted and approved by the School Board, which means you may have to have a special meeting, the funds will be considered for utilization of the project elsewhere, seconded by David Jordan. Motion failed with four opposed:

Ayes: Tina Danforth, Vince DelaRosa, David Jordan
Opposed: Melinda J. Danforth, Patty Hoeft, Greg Matson, Paul Ninham
Not present: Brandon Stevens

For the record: David Jordan stated this is a perfect example why we have too many boards, committees and commissions. There are so many silos; we cannot get anything done in this tribe because all of these silos are put up. This is something that needs to be brought back to the GTC for reconsideration because there are so many that supersede other boards and committees, we can't get anything done.

For the record: Tina Danforth stated it is imperative that this sublease be concluded in order to not be a detriment to the bond funds that have been available for this project.

Motion by Patty Hoeft that Butch Rentmeester, Development Division Director and Don White, Governmental Services Division Director bring back a report on May 22, 2013 on the status of the community events area. Hopefully in that report, they will tell us the sublease is done and that the Attorney representing the Tribe on this matter to also be included in the report status, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

IX. Standing Committees

A. Legislative Operating Committee – Melinda J. Danforth, Chairwoman

1. April 17, 2013 LOC meeting minutes

Motion by Patty Hoeft to accept the April 17, 2013 LOC meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. May 3, 2013 Finance Committee meeting minutes

Motion by Patty Hoeft to approve the May 3, 2013 Finance Committee meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

C. Community Development Planning Committee – Vince DelaRosa, Chairman

1. March 15, 2013 CDPC meeting minutes

Motion by Patty Hoeft to approve the March 15, 2013 CDPC meeting minutes, seconded by Vince DelaRosa. Motion carried.

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

2. April 4, 2013 CDPC meeting minutes

Motion by Patty Hoeft to approve April 4, 2013 CDPC meeting minutes, second by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council – Patty Hoeft

1. Petitioner Linda Dallas: Investigate Oneida Appeals Commission inappropriate and unethical actions and activities as a whole, former and current individual members, legal representation past 15 years

Excerpt from March 13, 2013: Motion by Melinda J. Danforth to acknowledge the receipt of

petitions numbered 3-7 and direct that the appropriate analysis, which would be the legislative, the fiscal analysis, the legal review and any potential administrative analysis be completed on these documents within 45 days, seconded by Greg Matson. Motion carried unanimously.

Motion by Patty Hoefft to schedule the petition submitted by Linda Dallas to investigate the Oneida Appeals Commission inappropriate and unethical actions and activities as a whole be scheduled to the July 8, 2013 GTC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

2. Petitioner Linda Dallas: Require Tribe to pay real estate taxes for all Tribe-owned property

Excerpt from April 24, 2013: Motion by Paul Ninham to accept items 1-5 as information and forward the items to the May 8, 2013 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoefft to schedule the petition submitted by Linda Dallas requiring the tribe to pay real estate taxes for all Tribe-owned property to the July 29, 2013 GTC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

3. Petitioners Kerry Danforth and Linda Dallas: Enact discretionary transfer authority in Tribal Law Chapters 78 and 79 to allow child support cases originating in Oneida courts to be transferred to a different jurisdiction

Excerpt from April 24, 2013: Motion by Paul Ninham to accept items 1-5 as information and forward the items to the May 8, 2013 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoefft to schedule the petition submitted by Kerry Danforth and Linda Dallas to enact discretionary transfer authority in Tribal Law 78 and 79 to allow child support cases originating in Oneida courts to be transferred to a different jurisdiction to the July 8, 2013 GTC meeting, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

For the record: David Jordan stated he submitted prior vacation request and will not be at July 8, 2013 GTC Meeting.

4. Petitioners Kerry Danforth and Linda Dallas: Immediately dissolve Oneida Appeals Commission

Excerpt from April 24, 2013: Motion by Paul Ninham to accept items 1-5 as information and forward the items to the May 8, 2013 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoefft to schedule the petition submitted by Kerry Danforth and Linda Dallas to immediately dissolve Oneida Appeals Commission to the July 8, 2013 GTC meeting, seconded by Paul Ninham, Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

5. Petitioner Cathy L. Metoxen: All supervisory, management, entry-level jobs employed by enrolled Oneidas

Excerpt from April 24, 2013: Motion by Paul Ninham to accept items 1-5 as information and forward the items to the May 8, 2013 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoefft to schedule the petition submitted by Cathy L. Metoxen that all supervisory, management, entry-level jobs employed by enrolled Oneidas to the July 29, 2013 GTC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

6. Petitioner Kerry Danforth: Rescind, repeal Oneida child placement, visitation, support, paternity laws

Excerpt from April 24, 2013: Motion by Paul Ninham to accept items 1-5 as information and

forward the items to the May 8, 2013 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoeft to schedule the petition submitted by Kerry Danforth to rescind, repeal Oneida child placement, visitation, support, paternity laws to schedule to July 8, 2013 GTC meeting, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

7. Petitioner Linda Dallas: Set term limits for membership to boards, committees, commissions

Excerpt from April 24, 2013: Motion by Patty Hoeft to acknowledge receipt and send it off for appropriate analysis and return back here in 30 days, seconded by David Jordan. Motion carried unanimously.

Motion by Patty Hoeft to schedule the petition submitted by Linda Dallas to set limits for membership to boards, committees, commission to the July 29, 2013 GTC Meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

Motion by Tina Danforth to recess until 1:30 p.m. for lunch. Motion was not recognized as it had no second.

XI. Unfinished Business

1. Plan Oneida Hall of Fame Law implementation

Sponsor: Vince DelaRosa

Excerpt from April 24, 2013: Motion by Vince DelaRosa to bring this item back at the next Business Committee meeting with two recommendations, a Business Committee member and a community member, seconded by Tina Danforth. Motion carried unanimously.

Motion by Patty Hoeft to defer plan Oneida Hall of Fame Law implementation to the next Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

XII. New Business/Requests

1. Review and approve E-Medical Apps Contract #20130-001

Sponsor: Dr. Vir/Debbie Danforth

Motion by Patty Hoeft to approve the limited waiver sovereign immunity for E-Medical Apps Contract #20130-001, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Tina Danforth

Not present: Ed Delgado, Brandon Stevens

2. Approve activation of \$16,098,000 from the approved FY2013 CIP budget for CIP #10-008 Casino Expansion project

Sponsor: Butch Rentmeester

Motion by Vince DelaRosa to approve moving forward with activation of \$16,098,000 for approval of FY2013 budget for CIP #10-008 casino expansion project, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

Amendment by Tina Danforth that to activate funds a detailed summary be brought back to the Business Committee in two weeks identifying how the \$16,098,000 is being allocated for what portions of the project, seconded by Melinda Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

3. FY2013 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Approve Surveillance Assistant Director position as workforce level change in Gaming Commission

Sponsor: Ed Delgado

Motion by Tina Danforth to approve the Oneida Gaming Commission request to change work force levels by eliminating licensing coordinator position and adding the surveillance assistant director position, second by Greg Matson. Motion carried with one abstention and one opposed:

Ayes: Tina Danforth, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham
Opposed: Vince DelaRosa
Abstained: Melinda J. Danforth
Not present: Brandon Stevens

XIII. Travel

A. Travel Reports

1. 2013 State of Indian Nations Address, Feb. 14, 2013, Washington, DC

Sponsor: Paul Ninham

Motion by Tina Danforth to approve 2013 State of Indian Nations Address, Feb. 14, 2013, Washington, DC travel report, seconded by Melinda J. Danforth, Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

2. National Indian Gaming Association Annual Meeting, March 25-28, 2013, Phoenix, AZ

Sponsor: Paul Ninham

Motion by Patty Hoefft to approve National Indian Gaming Association Annual Meeting, March 25-28, 2013, Phoenix, AZ travel report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

3. National Indian Gaming Association Annual Meeting, March 24-28, 2013, Phoenix, AZ

Sponsor: Tina Danforth

Motion by Patty Hoefft to approve National Indian Gaming Association Annual Meeting, March 24-28, 2013, Phoenix, AZ travel report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

4. Native American Financial Officers Association (NAFOA) Conference, April 17-21, 2013, Nashville, TN

Sponsor: Tina Danforth

Motion by Paul Ninham to approve Native American Financial Officers Association (NAFOA) Conference, April 17-21, 2013 travel report, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

5. Reservation Economic Summit (RES) March 10-15, 2013, Las Vegas, NV

Sponsor: Tina Danforth

Motion by Paul Ninham to approve Reservation Economic Summit (RES) March 10-15, 2013, Las Vegas, NV travel report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

Motion by Tina Danforth to invite Tex Hall to come to Oneida to further discuss the opportunity to join membership with the ITAA, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

B. Travel Requests

1. 2013 National Congress of American Indians Mid-Year Conference, June 23-27, 2013, Reno, NV

Sponsor: Ed Delgado

Motion by Tina Danforth to delete 2013 National Congress of American Indians Mid-Year Conference, June 23-27, 2013, Reno, NV travel request from the agenda, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoefft, David Jordan, Paul Ninham

Not present: Brandon Stevens

2. National American Indian Housing Council (NAIHC) 39th Annual Convention & Trade Show, May 20-22, 2013, Chicago, IL

Sponsor: Vince DelaRosa

Motion by Melinda J. Danforth to approve National American Indian Housing Council (NAIHC) 39th Annual Convention & Trade Show, May 20-22, 2013, Chicago, IL travel request, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

XIV. Additions

1. Gaming Facility license

Sponsor: Troy Parr

Motion by David Jordan to accept the Gaming Facility license report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan

Not present: Paul Ninham, Brandon Stevens

2. Approve May 2, 2013 CDPC meeting minutes

Sponsor: Vince DelaRosa

Motion by Tina Danforth to defer the May 2, 2013 CDPC meeting minutes for two weeks, seconded by Paul Ninham. Motion carried with two opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Greg Matson, Patty Hoeft, Paul Ninham

Opposed: Vince DelaRosa, David Jordan

Not present: Brandon Stevens

For the record: David Jordan stated he is trying to do everything in my power to remove the building from the Land Office to have it occupied by somebody. That was the whole intent. Land Management made it very clear they will not use their money to remodel buildings because their money is to only buy land. It was my attempt to move it from the Land Office, put it in DPW and either put somebody in there like Early Headstart or the Judicial System so we could find dollars in FY 14.

3. AmeriCorps request

Sponsor: Greg Matson

Motion by Greg Matson to defer the AmeriCorps request to next Business Committee meeting, seconded by Paul Ninham. Motion carried, unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

XV. Action in open session on items from Executive Session Discussion meeting of May 7, 2013

A. Reports

1. Chief Counsel report – Jo Anne House

Motion by Paul Ninham to accept the Chief Counsel report submitted, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

Motion by Melinda J. Danforth to adopt the SOP with the noted change, to 5.2 where it says the Screening Selection Committee shall require all screened applicants to file a conflict of interest disclosure form, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Tina Danforth

Not present: Brandon Stevens

Motion Patty Hoeft to approve the fourth amendment to Locklear Attorney contract, contract number 2013-0513, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

2. Chief Financial Officer bi-monthly report – Larry Barton

Excerpt from April 24, 2013: Motion by Paul Ninham to defer Chief Financial Officer bi-monthly report to the next Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

Motion by Tina Danforth to approve Chief Financial Officer bi-monthly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

B. Audit Committee – Councilman Brandon Stevens, Chairman

C. Unfinished Business/BC directives

D. New Business/Requests

1. Approve limited waiver of sovereign immunity for Xerox contract

Sponsor: Michele Doxtator/Wayne Skenandore

Motion by Patty Hoeft to approve the limited waiver of sovereign immunity for Xerox Corporation lease agreement contract number 2013-0193, seconded Tina Danforth. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, Paul Ninham
Abstained: David Jordan, Greg Matson
Not present: Brandon Stevens

2. Approve cash flow request – Oneida Airport Hotel Corporation

Sponsor: Brandon Stevens

Motion by Greg Matson to approve cash flow request – Oneida Airport Hotel Corporation, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, David Jordan, Paul Ninham
Abstained: Patty Hoeft
Not present: Brandon Stevens

3. FY2013 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Approve career ladder progression from CSC Specialist Trainee to CSC Specialist I

Sponsor: Ed Delgado

Motion by Tina Danforth to approve the career ladder progression from CSC Specialist Trainee to CSC Specialist I, as requested with an effective date of Monday, May 13, 2013 at minimum wage grade NE11, seconded by Greg Matson. Motion failed with one abstention and four opposed: (Check on who opposed/abstained)

Ayes: Tina Danforth, Greg Matson
Opposed: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, Paul Ninham
Abstained: David Jordan
Not present: Brandon Stevens

Motion by Patty Hoeft to approve the career ladder progress from CSC Specialist Trainee to CSC Specialist I, as requested with an effective date of Monday, May 13, 2013, seconded by Greg Matson. Motion failed with two abstentions and three opposed:

Ayes: Greg Matson, Patty Hoeft
Opposed: Melinda J. Danforth, Tina Danforth, Vince DelaRosa
Abstained: David Jordan, Paul Ninham
Not present: Brandon Stevens

Motion by Tina Danforth to defer item titled approve career ladder progression from CSC Specialist Trainee to CSC Specialist I for two weeks, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

4. Approve Division of Land Management external audit request

Sponsor: David Jordan

Motion by Tina Danforth to approve retention of an external audit firm to address issues of the Land Office and Land Commission, the audit shall be managed by the audit department and findings, if any reported to the audit committee, funding for the audit shall be provided by the Land Office budget and the immediate suspension of all land acquisition commence immediately, resumption of land acquisition shall not be permitted until completion of the audit with satisfactory responses for the parties audited, seconded by Vince DelaRosa. Motion carried with two opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, David Jordan
Opposed: Patty Hoeft, Paul Ninham
Not present: Brandon Stevens
For the record: Greg Matson stated make sure that none of those properties that have earnest money applied get interrupted with this stop on purchase.

E. Additions

1. Recommendation to retain Godfrey & Kahn legal services

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to defer recommendation to retain Godfrey & Kahn legal services for two weeks, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

2. Compliance enforcement

Sponsor: David Jordan

Motion by Vince DelaRosa to have the Legislative Operating Committee have this legislation move as a priority through the process and we'll schedule a GTC meeting when we get a chance, seconded by David Jordan.

Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan
Abstained: Tina Danforth
Not present: Brandon Stevens, Paul Ninham

3. Proposed contract with Bonnilake real estate

Sponsor: Ed Delgado

Motion by Greg Matson to defer the proposed contract with Bonnilake real estate to a future special Business Committee meeting or the next regular scheduled Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

XVI. Adjourn

Motion by Patty Hoeft to adjourn at 12:54 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham
Not present: Brandon Stevens

Minutes Approved as presented/corrected on May 22, 2013


Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE