

# Oneida Tribe of Indians of Wisconsin



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

## ONEIDA BUSINESS COMMITTEE 9 a.m. Sept. 30, 2009 Emergency Meeting

### Minutes

**Present:** Rick Hill, chairman, Kathy Hughes, vice-chair, Tina Danforth, treasurer, Patty Hoeft, secretary, Tina Danforth, Ed Delgado, council member, Ron "Tehassi" Hill Jr., council member, Trish King, council member, Brandon Stevens, council member

**Excused:** Melinda Danforth, council member

**Others** Bobbi Webster

**Present:**

**Opening Prayer:** by Ron "Tehassi" Hill Jr.

**I. Call to Order** by Chairman Rick Hill at 9:07 a.m.

### II. Approval of the Agenda

Motion by Kathy Hughes to recess for 30 minutes, seconded by Tina Danforth. Motion carried unanimously:

**Ayes:** Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

**Excused:** Melinda Danforth

Meeting called to order at 10:20 a.m.

Motion by Ed Delgado to approve the agenda and with the following add-ons in open session; 1. Gaming Commission attorney contract with Jacobson and Buffalo, 2. Police Commission attorney contract with Brabazon, 3. Travel request from Gaming Commissioner Oscar Schuyler, 4. Travel request from the Chairman and his assistant Francine Skenandore, seconded by Kathy Hughes. Motion carried unanimously:

**Ayes:** Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

**Excused:** Melinda Danforth

### III. Regular Session

#### 1. Budget communication plan

Sponsor: Bill Gollnick/Bobbi Webster

Motion by Ed Delgado to approve the budget communication plan letter, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

#### 2. Jacobson, Buffalo, Schoessler & Magnusson Ltd.

Sponsor: Gaming Commission/Mark Powless

Motion by Tina Danforth to provide a procedural exception to the cost containment to allow for this representation of legal services to be provided to the Gaming Commission as requested to engage in the Jacobson, Buffalo, Schoessler and Magnusson Ltd, seconded by Kathy Hughes. Motion carried with two opposed:

Ayes: Tina Danforth, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Brandon Stevens

Opposed: Ed Delgado, Trish King

Excused: Melinda Danforth

For the record: Ed Delgado opposed because at this time I don't think the Tribe can afford a contract at \$130,000.

#### 3. Brabazon Attorney Contract

Motion by Patty Hoeft to approve a procedural exception to the cost containment to allow for the Brabazon contract and to not exceed \$25,000, seconded by Ed Delgado. Motion carried with two abstentions:

Ayes: Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Abstained: Tina Danforth, Trish King

Excused: Melinda Danforth

#### 4. Procedural exception travel request for Gaming Commissioner Oscar Schuyler

Sponsor: Gaming Commission/Mark Powless

Motion by Kathy Hughes to approve a procedural exception to the cost containment resolution to authorize the Vice-Chairman of the Oneida Gaming Commission to attend the National Tribal Gaming Commission Regulators meeting Oct. 5, seconded by Ed Delgado. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

## 5. Bureau of Indian Affairs meeting, Oct. 7, Washington, D.C.

Sponsor: Rick Hill

Motion by Ed Delgado to approve travel for Chairman Rick Hill, Chief of Staff Bill Gollnick, Policy Advisor Francine Skenandore and Legislative Affairs Nathan King, seconded by Kathy Hughes. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

Motion by Tina Danforth to allow procedural exception for Bill Gollnick, Nathan King, and Francine Skenandore to travel during the six month cost containment period, seconded by Brandon Stevens. Motion carried with two opposed:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Kathy Hughes, Brandon Stevens

Opposed: Trish King, Patty Hoeft

Excused: Melinda Danforth

For the record: Trish King understands the responsibility of these positions and travel requires however we are in cost containment.

## IV. Executive Session

Motion by Brandon Stevens to go into executive session at 11:02 a.m., seconded by Kathy Hughes. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

Motion by Patty Hoeft to come out of executive session at 1:22 p.m., seconded by Ron "Tehassi" Hill Jr. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

### 1. General Manager employment contract

Sponsor: Trish King

**Excerpt from Sept. 23:** No action taken.

Motion by Trish King to approve the revisions to the General Manger job description #09019 as followed: under Standard Qualifications line 22, change the word "Nation" to "Tribe"; under Preferred Qualifications, change item no. 1 budget amount from 300 plus million to 50 plus million; under Minimum Qualifications, eliminate the comma after public administration and change the word "plus" to "and"; and under Items to be Submitted, add "resume with three references" and add "must provide copy of diploma, license, degree or certification", seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

Motion by Brandon Stevens to approve the revised format of the executive contracts, the General Manager's contract as to one year, the following language shall be included in the contract; IV. Compensation, and at the end of no. 1; Provided that, on Sept. 30, 2009 the Oneida Business Committee has developed a subcommittee to review executive compensation. The parties agree that upon submission of the report by the subcommittee, the compensation in this contract shall be re-negotiated based on the new wage scale for executive compensation. Should the parties be unable to agree upon compensation, the Oneida Business Committee or Employee may issue notice of termination under Article XI, section 3. Under Article XI. Termination, add the following clause; 3. This agreement may be terminated in the event of a financial emergency as set forth in this section. In the event the Oneida Business Committee declares by motion or resolution at a duly called meeting that a financial emergency exists such that funding is unavailable for this employment contract, the parties shall re-negotiate the salary for the emergency period. If the parties are unable to agree to a re-negotiated salary, this shall be cause to issue notice of termination. Termination shall be effective 14 business days after presentation of written notice of failure to re-negotiate by the Oneida Business Committee to the Employee. Employee shall cooperate fully with an exit interview and any all requirements to ensure an effective transition of job duties and responsibilities. Under Attachment A, as a reporting standard; Employee shall provide a quarterly report that analyzes al disciplinary actions which results in grievances or litigation, and shall provide direction and leadership in the training of all supervisor staff with regard to adherence to applicable disciplinary processes and procedures, seconded by Kathy Hughes. Motion carried with one opposed and one abstention:

Ayes: Ed Delgado, Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Opposed: Tina Danforth

Abstained: Ron "Tehassi" Hill Jr.

Excused: Melinda Danforth

For the record: Tina Danforth opposed for the record because she did not agree with the changes that are being requested and didn't agree with the overall recommendation of the contract renewal.

Point of order called for by Ed Delgado to clarify the intent of the motion. He asked if the Motion by Kathy Hughes to approve the General Manager's contract with the previously stated amendments, seconded by Brandon Stevens. Motion carried with two opposed:

Ayes: Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Opposed: Tina Danforth, Ed Delgado

Abstained: Ron "Tehassi" Hill Jr.

Excused: Melinda Danforth

For the record: Tina Danforth said there are practical conflicts between the first motion and second motion, there should be a point of order and there really is some real issues that we just created by doing what we just did. And again this was all done in the 11<sup>th</sup> hour in the last 45 minutes or so of our executive session discussion.

For the record: Ed Delgado opposed because he does not support the renewal of the General Manager's contract.

## 2. Gaming General Manager employment contract

Sponsor: Tina Danforth

**Excerpt from July 22:** Motion by Ed Delgado to approve to extend the contracts of the Chief of Staff, General Manager, and Gaming General Manager to Sept. 30, 2009, seconded by Melinda J. Danforth. Motion carried unanimously.

**Excerpt from Sept. 23:** No action taken.

Motion by Tina Danforth to approve the Gaming General Manager's employment contract as presented this morning. Motion failed for lack of second.

Motion by Kathy Hughes to approve the Gaming General Manager's contract with the appropriate amendments; Article IV. Compensation, add at the end of no. 1, Provided Motion by Brandon Stevens to approve the revised format of the executive contracts, the General Manager's contract as to one year, the following language shall be included in the contract; IV.

Compensation, and at the end of no. 1; Provided that, on Sept. 30, 2009 the Oneida Business Committee has developed a subcommittee to review executive compensation. The parties agree that upon submission of the report by the subcommittee, the compensation in this contract shall be re-negotiated based on the new wage scale for executive compensation. Should the parties be unable to agree upon compensation, the Oneida Business Committee or Employee may issue notice of termination under Article XI, section 3. Under Article XI. Termination, add the following clause; 3. This agreement may be terminated in the event of a financial emergency as set forth in this section. In the event the Oneida Business Committee declares by motion or resolution at a duly called meeting that a financial emergency exists such that funding is unavailable for this employment contract, the parties shall re-negotiate the salary for the emergency period. If the parties are unable to agree to a re-negotiated salary, this shall be cause to issue notice of termination. Termination shall be effective 14 business days after presentation of written notice of failure to re-negotiate by the Oneida Business Committee to the Employee. Employee shall cooperate fully with an exit interview and any all requirements to ensure an effective transition of job duties and responsibilities, seconded by Brandon Stevens. Motion tied. Chair voted opposed. Motion failed with three for and four opposed:

Ayes: Kathy Hughes, Trish King, Brandon Stevens

Opposed: Tina Danforth, Ed Delgado, Rick Hill, Patty Hoefft

Abstained: Ron "Tehassi" Hill Jr.

Excused: Melinda Danforth

For the record: Tina Danforth opposed because the contract was negotiated embedded with the full Committee's input and also done so with the Gaming General Manager's input and these last minute changes are unwarranted and unfair to the individual and unfair to my office for having done all the work. These are based on considerations that should have not impacted the moving forward of this contract. It was done fairly and objectively and with input and again I do not appreciate the last minute insertions and the ability to change the term of this contract without any input and notification to the Gaming General Manager.

For the record: Patty Hoefft opposed because she does not support selecting this candidate as our Gaming General Manager because of the lack of higher education requirements and I do that with great reluctance

because this employee has served and managed our casino superbly. But we are caught between a rock and a hard place because we require people to have at least a Bachelor's degree. And if this person had a Bachelor's degree I would be in so in favor of this.

For the record: Brandon Stevens this was my compromise. This motion here was initiated by the Treasurer's office initiative for cost containment, so this is one of the reasons why this came into discussion. Otherwise, it would have been a whole different other route. This was definite compromise and I was willing to go with the just the contract as is presented this morning. So this was my compromise to the Committee and sending this forth. Thank you.

Motion by Patty Hoeft to approve the Gaming General Manager with the approved amendments as stated earlier that would be appropriate to this contract but approval is based on renegotiating the salary with the candidate so that we are offering the minimum in that wage and that the salary would be increased once the candidate obtains a Bachelor's degree. Motion withdrawn.

Motion by Tina Danforth to table this item. Motion withdrawn.

Motion by Patty Hoeft to assign Vice-Chairwoman Kathy Hughes to re-negotiate the Gaming General Manager contract with the candidate and bring us back a recommendation, seconded by Tina Danforth. Motion failed with one for and six opposed:

Ayes: Patty Hoeft  
Opposed: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens  
Excused: Melinda Danforth

Motion by Kathy Hughes to rescind the action approving the General Manager's contract with the format amendment language incorporated, seconded by Brandon Stevens.

Ayes: Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens  
Opposed: Patty Hoeft  
Abstained: Tina Danforth, Ed Delgado  
Excused: Melinda Danforth

Motion by Brandon Stevens to rescind the first motion to approve the revised format of the contracts that include; Article IV. Compensation, Article XI. Termination and Attachment A Reporting Standard, seconded by Kathy Hughes. Motion carried with one opposed and one abstention:

Ayes: Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens  
Opposed: Ed Delgado, Patty Hoeft  
Abstained: Tina Danforth  
Excused: Melinda Danforth  
For the record: Ed Delgado opposed because employees are being face with reduced hours and looking for a way where our high level upper

management where wages can be reduced if the economy continues to decline.

Motion by Trish King to approve the General Manager's contract as presented with one final amendment to the Attachment A which states; Employee shall provide a quarterly report that analyzes all disciplinary actions which results in grievances or litigation, and shall provide directions and leadership in the training of all supervisor staff with regard to adherence to applicable disciplinary processes and procedures, seconded by Kathy Hughes. Motion carried with two opposed:

Ayes: Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Opposed: Tina Danforth, Ed Delgado

Excused: Melinda Danforth

For the record: Tina Danforth opposed the renewal contract based on the unfortunate circumstances that the issues relative to the contract, some of them were only brought forward today as far as so many amendments and lack of performance, miscommunication, poor communication, and other disciplinary circumstances that have existed over the past year.

For the record: Ed Delgado opposed due to performance issues.

Amendment to the main motion by Tina Danforth to incorporate the language to include under Compensation section; That this position will be funded at this level contingent upon the Tribe's ability to pay in the event the Tribe is forced to down size operations due to economic conditions, seconded by Trish King. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

Second amendment motion by Tina Danforth to include Article XI. Termination to add the following clause; This agreement may be terminated in the event of a financial emergency as set forth in this section. In the event the Oneida Business Committee declares by motion or resolution at a duly called meeting that a financial emergency exists such that funding is unavailable for this employment contract, the parties shall re-negotiate the salary for the emergency period. If the parties are unable to agree to a re-negotiated salary, this shall be cause to issue notice of termination. Termination shall be effective 14 business days after presentation of written notice of failure to re-negotiate by the Oneida Business Committee to the Employee. Employee shall cooperate fully with an exit interview and any all requirements to ensure an effective transition of job duties and responsibilities, seconded by Ed Delgado. Motion carried with two opposed:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Kathy Hughes, Brandon Stevens

Opposed: Ron "Tehassi" Hill Jr., Trish King

Excused: Melinda Danforth

Motion by Tina Danforth to approve the Gaming General Manager employment contract as presented this morning, seconded by Ron "Tehassi" Hill Jr. Motion carried with two opposed:

Ayes: Tina Danforth, Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens

Opposed: Ed Delgado, Patty Hoeft

Excused: Melinda Danforth

Amendment to the motion by Ed Delgado to include under XI. Termination; This agreement may be terminated in the event of a financial emergency as set forth in this section. In the event the Oneida Business Committee declares by motion or resolution at a duly called meeting that a financial emergency exists such that funding is unavailable for this employment contract, the parties shall re-negotiate the salary for the emergency period. If the parties are unable to agree to a re-negotiated salary, this shall be cause to issue notice of termination. Termination shall be effective 14 business days after presentation of written notice of failure to re-negotiate by the Oneida Business Committee to the Employee. Employee shall cooperate fully with an exit interview and any all requirements to ensure an effective transition of job duties and responsibilities, seconded by Trish King. Motion carried with one opposed:

Ayes: Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoef, Kathy Hughes, Trish King, Brandon Stevens

Opposed: Tina Danforth

Excused: Melinda Danforth

### 3. Chief of Staff employment contract

Sponsor: Kathy Hughes

**Excerpt from Sept. 9:** Motion by Melinda Danforth to approve the recommendation of having the Chairman as a single point of contact for the Chief of Staff contract, seconded by Ron "Tehassi" Hill Jr. Motion carried unanimously.

**Excerpt from Sept. 9:** Motion by Ron "Tehassi" Hill Jr. to approve the recommendation negotiation of the Chief of Staff contract, seconded by Kathy Hughes. Motion carried with two opposed.

**Excerpt from Sept. 23:** No action taken.

Motion by Kathy Hughes to approve the Chief of Staff employment contract with the termination language added as follows; This agreement may be terminated in the event of a financial emergency as set forth in this section. In the event the Oneida Business Committee declares by motion or resolution at a duly called meeting that a financial emergency exists such that funding is unavailable for this employment contract, the parties shall re-negotiate the salary for the emergency period. If the parties are unable to agree to a re-negotiated salary, this shall be cause to issue notice of termination. Termination shall be effective 14 business days after presentation of written notice of failure to re-negotiate by the Oneida Business Committee to the Employee. Employee shall cooperate fully with an exit interview and any all requirements to ensure an effective transition of job duties and responsibilities, seconded by Ron "Tehassi" Hill Jr. Motion carried with one opposition and one abstention:

Ayes: Ed Delgado, Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens

Opposed: Patty Hoef

Abstained: Tina Danforth

Excused: Melinda Danforth

### 4. Federal lobbyist Carlyle Consulting contract for FY 2010

Sponsor: Bill Gollnick/Nathan King

**Excerpt from Sept. 9:** Motion by Patty Hoeft to accept the federal lobbyist contract for FY2010 update and receive a recommendation at the Sept. 23 Business Committee meeting, seconded by Ron "Tehassi" Hill Jr. Motion carried unanimously.

**Excerpt from Sept. 23:** No action taken.

Motion by Patty Hoeft to approve the Carlyle Consulting contract for FY 2010 with the procedural exception so it complies with the Cost Containment resolution, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens  
Excused: Melinda Danforth

#### **5. State lobbyist Jim Tenuta contract FY 2010**

Sponsor: Bill Gollnick/Nathan King

Motion by Tina Danforth to approve the state lobbyist Jim Tenuta contract FY 2010 with the consideration that this is a procedural exception to the resolution that was approved last week by the Business Committee no cost containment, seconded by Ron "Tehassi" Hill Jr. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Kathy Hughes, Trish King, Brandon Stevens  
Abstained: Patty Hoeft  
Excused: Melinda Danforth

#### **6. Intergovernmental relations strategy update**

Sponsor: Rick Hill/Bill Gollnick

Motion by Patty Hoeft to accept the intergovernmental relations strategy verbal update about by the Chief of Staff, seconded by Kathy Hughes. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens  
Excused: Melinda Danforth

#### **7. Seven Generations Corp. bonding request**

Sponsor: Brandon Stevens/Kevin Cornelius

**Excerpt from Sept. 23:** No action taken

Motion by Brandon Stevens to authorize the Chief Financial Officer to take necessary steps and actions to include; consultation with outside advisors as necessary to implement the issuance of the tax exempt bonds on behalf of the Oneida Seven Generations Corp. for their refinancing of Badge Sheet Metal Property and capitalization of the Oneida Manufacturing, LLC for economic expansion, seconded by Patty Hoeft. Motion carried. Motion carried with one abstention:

Ayes: Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft, Kathy Hughes, Trish King, Brandon Stevens  
Abstained: Tina Danforth  
Excused: Melinda Danforth

Motion by Tina Danforth that Seven Generations Corporation provide the necessary financial and business plan information to the Chief Financial Officer's office within 30 days if not an update will be provided by Brandon Stevens, seconded by Ed Delgado. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft,  
Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

#### **V. Adjourn**

Motion by Patty Hoeft to adjourn at 2:25 p.m., seconded by Ed Delgado. Motion carried unanimously:

Ayes: Tina Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Patty Hoeft,  
Kathy Hughes, Trish King, Brandon Stevens

Excused: Melinda Danforth

**Minutes Approved as presented/corrected on Oct. 14, 2009.**



Patricia Hoeft, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE