



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

Onondaga Tribe of Indians of Wisconsin



USWA OENOLUN TATEME

Because of the help of this Onondaga Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States was made possible.

Phone: 869-2771



Oneida, WI 54155

*Approved As
Read 12-18-84
Special Mtg.*

SPECIAL MEETING

TUESDAY, DECEMBER 4, 1984

Meeting called to order at 1:30 P.M. by Chairman Purcell Powless

PRESENT: Purcell Powless-Chairman, Kathy Hughes-Treasurer, L. Gordon McLester-Secretary, Tony Benson, Lloyd Powless, Lois Powless, David King, Mark Powless, Council Members.

EXCUSED: Richard Hill, Vice-Chairman

OTHERS: John Telfer, Bob Christjohn, Dale Wheelock, Jerry Hill, Marlin Mousseau.

AGENDA

Lloyd moved to adopt the Agenda. Dave seconded. Motion carried

150-TRAILS PROPOSAL & ADOLESCENT PREGNANCY PREVENTION PROPOSAL

These two (2) items were presented through the Finance & Appropriation recommendations of November 9, 1984. The following action was taken at the time: A.P.P.P. request was a \$7,563.00 Tribal contribution. The Business Committee took action to have these funds come out of the Health Expansion Fund and that the budget be modified to include the request. Trails proposal request was \$5,000.00, tribal contribution.

The Business Committee took action to have the request go to the Community Services Block Grant to see if they can receive additional funds over their proposed needs and if funds are not available, this request would come back to the Business Committee for reconsideration.

Barbara Hill-Hawkins and the Health Board recommend that the funds for the above proposals be taken from a source other than the Health Center Expansion Fund (Per memo of 11/26/84).

Kathy moved to table these items until she receives more information on the Health Expansion Fund. Lois seconded. (2) voted in favor, (4) opposed, (1) abstention, motion failed.

Trails Proposal/Adolescent (Continued)

There was further discussion on taking the funds from the Health Expansion Fund. It was agreed that more financial information was needed on the H.E.F. Mark made a motion to table these requests until the necessary financial information can be presented by the Treasurer and the Controller. Lois seconded. Motion carried.

010-TABLED TRAVEL POLICY - John Telfer/Bob Christjohn

Mark made a motion to take this item from the table. Lloyd seconded Motion carried.

The Business Committee had reviewed the draft travel policy on November 30, 1984 and there were some questions regarding some of the definitions. John Telfer was requested to attend the next meeting to explain any questions. John pointed out that establishing the amounts for mileage per diem was taken from the Federal Register being that if the Tribe's exceeds the funding agents amount they may refuse to pay the higher amount. John therefore, recommends that we send the travel policy to the BIA for their review and comment.

Dave moved to approve the Travel Policy contingent on BIA review. Gordon seconded. Tony and Lois opposed. Mark abstained. Motion carried. The Travel Policy will go into effect on January 1, 1985.

310-PERSONNEL RECOMMENDATIONS - Dale Wheelock

Hiring Information

- Certified Dental Assistant: Patricia J Sturzl (Grade 9)
- 2) Resident Assistant: (22 hr/week on duty Compensation is Room & Board Charles Belisle
 - 3) Recreation Helper (Part-time/20/hrs. per wk) Phillip L. King - Grade 2

TABLED ITEMS FROM FINANCE & APPROPRIATIONS

TABLED TRIBAL SCHOOL BUDGET MODIFICATION:

Lois moved to take the Tribal School budget modification from the table. Lloyd seconded. Motion carried. There was a savings due to the adjustments in the rent structure. This modification transfers funds to appropriate lines and establishes a realistic budget. Lois moved to approve the budget modification for the tribal school. Kathy seconded. Motion carried.

TABLED RECORDS MANAGEMENT PROGRAM REQUEST

Lois made a motion to leave the Records Management request tabled until Friday, December 7, 1984 and have Bob Christjohn give an update on the budget. Dave seconded. Motion carried.

TABLED DATA PROCESSING BUDGET MODIFICATION

Lloyd made a motion to take the data processing budget modification from the table for discussion. Lois seconded. Motion carried. There is a tribal contribution of \$1,800.00 for overtime in the department. This is not allowable in the indirect cost pool.

Lois moved to defer this request until both John Telfer and Bob Christjohn are present to explain the overtime situation within the program. Lloyd seconded. Mark opposed. Motion carried.

TABLED CANNERY BUDGET MODIFICATION REQUEST

This was deferred until December 7, 1984.

220-LAW OFFICE - Sharon House-Cornelius

INFORMATION ON BAKERY:

The Law Office reviewed the question on whether the Norbert Hill Center is required to obtain a Wisconsin Bakery License. The Oneida Tribe maintains the right to exercise civil jurisdiction over matters which are not criminal or prohibitory according to Wisconsin State law. It is in the purview of the Oneida Tribe to regulate food and restaurant operations. The Law Office recommends that such regulations should be developed.

Mark made a motion that the Law Office be directed to develop regulations covering food service operations to be reviewed by the Business Committee in three (3) weeks. Lloyd seconded. Motion carried.

Kathy moved to have John Spangberg perform an inspection of all the areas dealing with food service and do the inspection according to State regulations. John is to bring back a report and that all supervisors are to be notified and involved. Lloyd seconded. Motion carried.

150-CONTRACT FOR DOMESTIC ABUSE PROGRAM

This contract (Domestic Abuse Program) had been approved/reviewed by the Law Office and is in proper order. Tony moved to approve. Lloyd seconded. Gordon opposed. Lois and Kathy abstained. Motion carried.

Gordon's reason for opposing was that the proper procedure was not followed when this was brought to the Business Committee for approval.

300-VINCENT SCHNEIDER LAND OFFER

Vincent Schneider offered to donate his land to the Tribe in memory of his grandfather Jacob Schmitz. This is ½ acre on the corner of County J and County U. Vincent stipulated that it be used as a park for the Indian people and that he would like to be non-liable for the taxes to date.

The Land Committee reviewed the offer and made a recommendation to accept the offer. Lloyd moved to approve the Land Committee's recommendation. Lois seconded. Mark and Gordon opposed. Motion carried.

TRAVEL REQUEST - Jerry Hill

Jerry requested authorization to attend the Bingo Task Force meeting in Las Vegas, Nevada on December 13, 14, 1984. Kathy moved to approve the request provided that Francis Skenandore will not be attending. Lloyd seconded. Mark abstained. Motion carried.

220-DRAFT LETTER TO JOINT COMMISSION

The following letter was drafted to send out to Michael Weber, Chairman of the Joint Brown-Outagamie Jurisdiction Commission:

Dear Mr. Weber:

This letter is in response to your letter of November 7, 1984 stating the Commission is anxious to commence negotiations and feels obliged to exhaust all available alternatives with the Oneidas in the interest of accommodation and compromise prior to commencing litigation.

According to your letter, the Commission exists to provide a vehicle for local governments to negotiate and agree upon a resolution of alleged disputed jurisdictional issues. The Tribe does not share your view of the Commission. Nor is the Tribe concerned with or interested in whether the Commission is the most appropriate legal and practical representative of the local governments. Our understanding of the Commission's design is based on statements of its organizers, as reported in the Press-Gazette of September 29, 1983. According to the report:

In discussing the special panel, local officials made it clear Wednesday night they have no intention of negotiating jurisdictional matters with the Oneidas.

According to Mr. Bukowski, Brown County Corporation Counsel:

There's been much discussion lately about negotiating, but it seems to me negotiating whether the reservation exists just cannot happen. There is only one way to get an answer to that, and that is through the Court system.

We concur with Mr. Bukowski that "negotiating whether the reservation exists just cannot happen." Apparently Brown County Executive, Donald Holloway concurs with Mr. Bukowski:

It's a good time "to hold hands with Outagamie County" and proceed with jurisdictional challenge, he said.

Your inter-governmental cooperation agreement also states the Commission will continue until the issues of diminution and/or disestablishment of the Oneida reservation is resolved. Thus, apart from disestablishing our reservation, the only other goal of the Commission of which we are aware is to disestablish the Tribe itself. To further these purposes, the Commission has retained two law firms who are supposedly Indian Law experts in the disestablishment of Indian government and reservations. We think you will concur that negotiating whether the Oneida Tribe and reservation exists "just cannot happen".

It appears then, that the only two subjects the Commission is intended to deal with are subjects which are outside the reach of negotiations, in your view as well as ours. You can understand our position, then, when you state that the Commission in the interest of accommodation and compromise is "anxious" to commence negotiations prior to commencing litigation.

In simple terms, I think the situation comes down to this: the Commission's hand is called. It has tossed out \$300,000 of the taxpayer's money touting its hand. Our hand is on the table, face up. It consists of the United States Constitution, Oneida Tribal Constitution, express language of federal treaty and statutes, acts of federal state and local recognition, federal and state court decisions and the recent opinion of the Wisconsin Attorney General.

We are not about to barter away the very existence of our Tribe and reservation. If the Commission is going to win a jackpot, its going to have to show its cards. And we respectfully decline the invitation to go into some closet to negotiate your putative view.

If you continue to believe that you must have some magic jurisdictional "answer" and refuse to be satisfied with the answer the Wisconsin Attorney General has given you, so be it. Use your Commission for the purpose you declared, and get your answer.

If there is an interest in discussing practical problems in order to meet the genuine needs of both the Oneida Tribe and whatever local government it may be, that is another matter. We are ready to discuss government-to-government, such matters individually and separately with responsible governmental officials, not group members who fabricate furor and anti-Oneida feelings to serve their own personal bias/prejudice.

If responsible local governmental officials are sincerely interested in such discussions, government-to-government, you would do well to leave your Commission and \$300,000 "vehicle" at home.

In conclusion, Mr. Weber, we can only ascertain newspaper quotes, that apparently your position has now changed. At one time you were quoted as saying serving on the Joint Commission was difficult:

"From a political standpoint, how can a local politician sit on the County Board and spend \$100,000 and not even be able to tell the citizens what we've got."

Such abrupt changes of position by individual members underscores the presumptuous attitude exhibited by the Joint Commission.

Kathy made a motion to send the above letter to the Joint Commission. Lois seconded. Motion carried.

200-GEORGE/MABEL WHITE - ONEIDA TOBACCO LEASE

The lease has been changed from every thirty (30) days to six (6) months. The Law Office has reviewed the changes and feel that everything is in order. Kathy moved to approve. Dave seconded. Mark opposed. Motion carried.

170-TABLED DEFINITION OF AN AMERICAN INDIAN (PER RNIP) - Rick Hill

This item had been discussed on November 30, 1984 but had been tabled until December 4, 1984. The following is a definition of an American Indian needed for RNIP:

The present language is: "American Indian" means a person who is recognized by an elected tribal governing body in this state as a member of a federally recognized Wisconsin tribe or band of Indians.

The recommended change is: "American Indian" means a person who is recognized by the elected tribal governing body of a Wisconsin Tribe or Band of Indians as part of the Wisconsin tribal community, regardless of the person's enrollment in a Tribe or Band.

Lloyd moved to take this item from the table. Lois seconded. Motion carried. Lloyd moved to adopt the recommended change. Tony seconded. Lois, Mark and Gordon abstained. Motion carried.

200-LAND ACQUISITION REPORT - Lloyd Powless

The sub-committee which is developing goals and objectives, has developed a draft rating system which can be used as the first step in land acquisition.

Land Acquisition Report (Continued)

It compiles the criteria and priorities developed and discussed over many years. The sub-committee would like to have comments from the Business Committee and then this will be forwarded on to the Land Committee for their evaluation.

The sub-committee has also been researching codes and ordinances which were approved in 1966. They hope to review and make recommendations for revisions to the Business Committee during 1985.

The above is for review at this point. (See Attachment)

TRAVEL REQUEST - Lloyd Powless

Lloyd requested authorization to attend the Education meeting at Stevens Point on December 6, and the Wisconsin Indian Resource Council meeting on December 11, 1984. Gordon moved to approve the above two requests. Kathy seconded. Lloyd abstained. Motion carried.

220-REQUEST FROM LEGAL COUNSEL OF MASHANTUCKET PEQUOT TRIBE

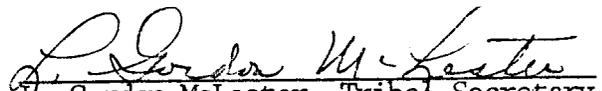
The Pequots are finalizing plans to open up a bingo hall on their reservation and the major part of the financing will have to come from a bank loan. They are working with a bank in Washington, D. C. which is requesting to see the financial statements from a reputable tribal bingo operation such as the Oneida Bingo hall.

Lois moved to have Kathy and Mark work on the request and bring back an update on the situation on Friday, December 14, 1984. Gordon seconded. Motion carried.

UPDATE ON THE FINANCES OF THE TRIBE WITH JOHN TELFER

4:00 P.M. Dave moved to recess. Kathy seconded. Motion carried.

Respectfully submitted


L. Gordon McLester, Tribal Secretary