

Oneida Tribe of Indians of Wisconsin

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Oneida, WI 54155



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 na-
tion, the United States, was
made possible

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

SPECIAL MEETING

*Approved
As Written
8-18-87*

FRIDAY, AUGUST 7, 1987

Meeting called to order at 9:00 a.m.

Present: Richard Hill-Vice Chairman, Kathy Hughes-Treasurer, L. Gordon
McLester-Secretary, Lloyd Powless, Lois Powless, Mark Powless, Tony
Benson, David King-Council Members

Excused: Purcell Powless-Chairman

Others: Cathy Porter, Chris Doxtator, Sharon Cornelius

AGENDA

Kathy Hughes moved to adopt the agenda, David King seconded. Motion carried.

ADDITIONAL ROAD FOR THE MOBILE HOME PARK - Cathy Porter

Cathy Porter explained that when making preliminary plans for the trailer park, the Planning Office requested BIA assistance for road design. Since they did not receive a reply, their consultant designed the roads, and construction contracts were let in October. The preliminary plans included an area which could be expanded for additional units.

Recently the Planning Office received a letter from the Bureau, agreeing to design the roads in the mobile home park. Since these roads have already been designed, the Planning Office requested that the BIA design the roads for the proposed addition. They have agreed to do so, upon receipt of the attached resolution.

Leslie and Eva Danforth have the assignment on which the proposed expansion would be located. The Planning Office has received permission from Mr. & Mrs. Danforth to enter upon and survey a future road.

Cathy asked for approval of the resolution so that road design can commence on the proposed addition.

Kathy Hughes moved to adopt the Resolution. Dave King seconded.

Discussion followed on the possible release of this property in the future if the Tribe would approve the proposed expansion. There was conflicting information on the possible release of land assignments.

Lois Powless moved to table for more information regarding assignments, Tony Benson seconded. Dave King abstained. Motion carried.

FINANCE & APPROPRIATION RECOMMENDATIONS PER MEMO OF AUGUST 5, 1987

The following recommendations are made:

Addition to Vernon & Katherine Jourdan House - Cost estimate is \$2,087,72. F&A recommends funding from operating reserves.

No action taken.

Education Grant for Fred Laitinen and Elda Swamp's daughter - Request is for \$2,130. F&A recommends funding from operating reserves.

No action taken.

- (3) Reviewed Grants Projects from Chris Johns - Need further input from Kathy King.

No action taken.

- (4) Air Conditioner Conservation Vehicle - F&A recommends approval for \$700 if it can be paid for by the program and not Tribal funds. The funds are to come only from the program budget.

Mark Powless moved to approve, Tony Benson seconded. Lois Powless opposed. Motion carried.

- (5) Tribal Building Improvements - Cost estimate is \$15,146. Further comments will be received from parties directly involved and a recommendation brought back in two weeks.

No action taken.

- (6) Sports Camp Proposal - F&A tentatively recommends funding up to \$2,000 from operation reserves pending an update on the status of the project.

No action taken.

- (7) Car Seats - Request is for approval of \$2,906. F&A recommends approval. Funding from program.

Mark Powless moved to approve, Tony Benson seconded. Motion carried.

- (8) New Position for Utilities Program - F&A recommends approval of a part-time position funded from the revenues generated by pumping.

Mark Powless moved to approve, Dave King seconded. Tony Benson opposed. Lois Powless abstained. Motion carried.

FINANCE & APPROPRIATION RECOMMENDATIONS (Continued)

- (9) Commercial Washing Machines - Cost for (2) is \$1,344. F&A recommends purchasing (3) machines. Funded by future revenues generated over a one year payback.

Dave King moved to approve, Mark Powless seconded. Motion carried.

- (10) Tree Planter for WCC - Cost estimate is \$1,079. F&A recommends deferring until February.

Dave King moved to approve, Kathy Hughes seconded. Lois Powless opposed. Motion carried.

- (11) Dishwasher for NHC Food Service - Cost estimate is \$10,506 not including installation. F&A recommends approval to fund from operating reserves.

Lois Powless moved to approve, Dave King seconded. Motion carried.

- (12) Equipment Purchase - TRAILS is requesting a typewriter at a cost of \$1,660. F&A recommends purchasing from Management Reserves funded by operating reserves.

Lloyd Powless moved to approve, Mark Powless seconded. Motion carried.

- (13) Information: Drainfield for Site I Ball Park - Cost was \$6,585. Funds are available in budget. F&A recommends approval.

No action taken.

TRAVEL REQUESTS - Lloyd Powless

Lloyd Powless is requesting approval to attend the following:

1. AILCEB meeting in Lac du Flambeau on August 10, 1987.
2. Providing Services to Indian Children in Cable, WI on August 31 & Sept 1, 1987.

Kathy Hughes moved to approve, Mark Powless seconded. Lloyd Powless abstained. Motion carried.

RESOLUTION #8-7-87 FOR CREDIT CARD FOR THE TRANSPORTATION PROGRAM - Kathy Hughes

The Transportation program requested a credit card to use so they would not have to carry large amounts of cash on their various trips. Kathy Hughes was requested to follow up on this matter. The following is the resolution needed to get the card:

RESOLUTION #8-7-87 FOR CREDIT CARD FOR THE TRANSPORTATION PROGRAM (Continued)

WHEREAS, it is in the interests of this corporation to establish a Corporate Charge Card Account with Elan Financial Services (EFS) under which certain designated agents and employees of this corporation will be authorized to obtain credit for the purchase of goods and services.

WHEREAS, EFS is willing to establish such an Account in the name of this corporation upon the terms and conditions of its Corporate Charge Card Application;

NOW, THEREFORE, RESOLVED, that any 2 of the following named officers or employees of this corporation be and they hereby are authorized for and on behalf and in the name of this corporation to execute and deliver to EFS on application for a Corporate Charge Card Account pursuant to which this corporation shall become obligated to repay to EFS the full amount of any credit extended to, or for the benefit of any person presenting a charge card bearing this corporation's name and account number, together with EFS's current applicable service charges therefore.

Purcell Powless
Amelia Cornelius

Richard Hill
Kathy Hughes

FURTHER RESOLVED, that any 2 of the foregoing named officers and employees of this corporation be and they hereby are authorized for and on behalf and in the name of this corporation to authorize EFS to issue charge cards bearing the name and account number of the corporation (including themselves) designated by them in writing to EFS from time to time.

FURTHER RESOLVED, that these Resolutions shall remain in full force and effect until subsequent Resolutions of this corporation superceding them have been duly certified and delivered to EFS.

I hereby certify that I am the duly elected, qualified and acting Oneida Tribal Secretary and the custodian of the records and corporate seal of The Oneida Tribe of Indians of WI a corporation organized and existing and in good standing under the laws of the State of N/A; that the foregoing is a true and correct copy of resolutions duly adopted by the Board of Directors of the corporation, in accordance with law and the by-laws of the corporation, and that such Resolutions are now in full force and effect without modification, and are duly recorded in the minute book of the corporation.

In Witness Whereof, I have affixed my name in my official capacity as L. Gordon McLester, Secretary and have caused the corporate seal of the Tribe to be hereunto affixed this 7th day of August, 1987.

David King moved to approve the Resolution, Tony Benson seconded. Motion carried. Tony Benson recommended that a policy be developed for the use of the credit card.

COMPENSATION FOR CAROL SILVA FOR WORK ON ELECTION DAY

Carol Silva had to work on Election Day, August 1, 1987 as per the Tribal Election Ordinance. She worked from 9 am to 7 pm. Mark Powless moved that she be paid \$100 for her work on Election day, Dave King seconded. Motion carried.

SUPPORT LETTER FOR BUS DISTRIBUTION

A small group of truck dealers are attempting to stop us from purchasing buses directly from school bus distributors.

We would be required to purchase buses only from truck dealers. These truck dealers would probably purchase the buses from a bus distributor. The result would be another layer of profit that we the purchaser would have to pay.

If our option to purchase direct is taken away, we will possibly see a total cost increase of twelve hundred to two thousand dollars per bus.

In order to stop this from occurring, we must act now. Enclosed is a letter for you to complete, sign and date along with listing your name and address. Please mail your letter today. Send copies of your letter to the addresses at the bottom of this letter.

As a group we can stop this adverse action and retain the option to purchase without costly restriction.

Dave King moved to support this letter. Kathy Hughes seconded.

After discussion followed on who was the group asking for support and how does their problem inter relate with the Tribe, Lois Powless moved to table this item for more information. Tony Benson seconded. David King abstained. Motion carried.

Lloyd Powless will follow up on more information.

REVENUE SHARING - Kathy Hughes

Kathy Hughes presented the following information on the Revenue Sharing funds. There are \$39,695.61 in funds available from Revenue Sharing. In accordance with regulations a Public Hearing was held on June 29, 1987 in the Business Committee conference room. The purpose of this hearing was to inform the community of the proposed use for the funds. This was to set aside \$20,000 for the Census Survey and \$19,695.61 for the Education & Training Budget.

Three people attended this hearing. Kathy Hughes, Lois Powless and Gordon McLester.

REVENUE SHARING (Continued)

Prior to this meeting, Tony Benson had recommended using a portion of these funds to provide assistance to John Spangberg. The workload in the Environmental Department is increasing. The funding from IHS continues to decrease. A memorandum of agreement between the Tribe and the EPA calls for the development of regulations. This will require a great deal of someone's time. If John is to do it then assistance will be needed to handle the daily sanitation duties. It is estimated there is a need for a full-time sanitation and a part-time clerk/typist with an estimated cost of \$55 to \$60,000.

Kathy Hughes recommended approval of the original plan to fund the Census Survey and the Education & Training budget. Revenue Sharing is not a stable source of funding and therefore in her opinion should not be used to create new employment situations. The Tribe is in need for expansion of the Environmental Department but, Kathy felt that if the Tribe is going to create new employment positions, it should be done with Tribal revenues unless or until a more stable source of outside revenues can be identified.

After discussion, Lloyd Powless moved to approve \$19,695.61 of Revenue Sharing funds for the Education & Training budget. Kathy Hughes seconded.

Lois Powless moved to table this matter until Tuesday, August 11, 1987 and have John Spangberg present to give an update on the expansion of the Environmental Department. Tony Benson seconded. 4 yes votes. 3 no votes. Motion carried.

ELECTION RECOUNT AND CERTIFICATION UPDATE - Chris Doxtator

The Business Committee requested a breakdown between rejected ballots and the spoiled ballots, and a recount was requested by Gordon McLester on the Tribal Secretary position.

Chris Doxtator presented a breakdown of the ballots as requested (see attached recount) and stated that the recount for the Tribal Secretary position remained the same. The Election Board presented the following recommendations:

1. Nominate the Board at the January Tribal Council meeting before elections so that they have time to prepare for their responsibilities.
2. Board do the caucus for the Tribal elections.
3. Go to computerized counting, possibly for outside firm.
4. Get the cut off date moved back.
5. Nominees petition plus filing fee to show earnest intent and to help defray cost of election.
6. Board to consist of 14 people. Draw lots as to who will work at the polls and who will tally.
7. Revise the Conflict of Interest in regulations.

ELECTION RECOUNT AND CERTIFICATION UPDATE (Continued)

8. Two registration lines. One with Tribal I.D. and one with other identification.
9. More booths.
10. Trust Committee, Tribal School Board and any other positions other than the Business Committee be done at a special election.
11. Get enrollments onto computers.
12. This election board would like to request copies of any recommendations that are taken.

Mark Powless moved to certify the Election results. Tony Benson seconded. Lloyd Powless opposed. Gordon McLester abstained. Motion carried.

Kathy Hughes moved to have the swearing in of the new Business Committee members at the General Tribal Council meeting on August 24, 1987. Lloyd Powless seconded. Tony Benson and Gordon McLester abstained. Motion carried.

The Business Committee reviewed the Election Board Recommendations and Mark Powless moved to defer this matter to the new Business Committee to follow-up. Gordon McLester seconded. Motion carried.

APPEALS COMMISSION RESOLUTION #8-7-87-B - Sharon Cornelius

WHEREAS, Article VI of the Oneida Constitution requires that all Oneida Tribal members shall have their individual rights protected, and

WHEREAS, the Indian Civil Rights Act of 1968, 25 USC Section 1301-1303 requires that all Indian tribes exercising powers of self government shall insure that individual rights are protected and that people have a right "to petition for a redress of grievances", and

WHEREAS, Amendment VII of the Oneida Constitution provides for the appointment of "committees, delegates and officials deemed necessary for the proper conduct of tribal business or relations", and

WHEREAS, the adoption of an Oneida Civil Rights and Appeals Commission, within an Oneida Tribal Judicial System, would fulfill the needs of the Oneida tribal government for the "separation of powers between the legislative, executive and judicial responsibilities in order to comply with the Indian Civil Rights Act of 1968 and more importantly, the Oneida Tribal Constitution, especially Amendment VIII, Article VI, "Bill of Rights", and

WHEREAS, the adoption of such a tribal judicial system would result in the following:

1. That the legislative body of the Oneida Tribe, the Oneida Business Committee, would be free to perform legislative duties rather than judicial duties, and
2. That judicial decisions would be made by an appointive body rather than by an elected body, which would reduce the politicization of decisions, and

RESOLUTION #8-7-87-B (Continued)

3. That the adoption of a system of commissions and boards would be consistent with the historical decision making forums of the Oneida Tribe which was composed of diverse entities, and
4. That a system of committees and boards would reduce a potential for unfair treatment to individuals, and
5. That the development of a consistent decision making body to hear appeals would improve the Oneida Tribe's ability to enforce its ordinances and protect its land, people and property independently and conscientiously through the implementation of a "separation of powers" system.

WHEREAS, the means for implementing such a judicial institution is by the adoption of ordinances.

NOW THEREFORE BE IT RESOLVED that the Oneida Business Committee, on behalf of the Oneida General Tribal Council, does hereby adopt the attached Oneida Judicial System Ordinance and the Civil Rights and Protection Ordinance, and

BE IT FURTHER RESOLVED that in order to implement the above two ordinances, the following documents are also adopted:

1. Oneida Tribal Civil Procedure Code,
2. The Oneida Civil Rights and Appeals Commission,
3. The Oneida Tribal Code of Ethics for Business, Elected and Legislatively Appointed Committees.

Tony Benson moved to adopt Resolution #8-7-87-B. Lloyd Powless seconded. Gordon McLester abstained. Motion carried.

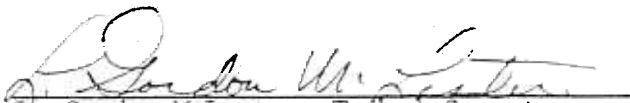
Sharon Cornelius requested the Business Committee to appoint eleven members to the Appeals Commission, 16 people have applied for appointments. Discussion following on the requests for appointments.

Lois Powless moved to table any discussion until the new Business Committee members come on board. Kathy Hughes seconded. 2 yes votes, 2 no votes, 3 abstentions. The Chairman voted no. Motion failed.

Discussion continued on taking this matter to the General tribal Council for discussion and ratification of the Resolution #8-7-87-B.

Mark Powless moved to place this matter on the Agenda for the General Tribal Council meeting on August 24, 1987 for their review and direction. Gordon seconded. Motion carried.

11:00 A.M. Mark Powless moved to recess, Gordon McLester seconded. Motion carried.


L. Gordon McLester, Tribal Secretary
Oneida Business Committee