



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

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 nation, the United States, was made possible

APPROVED AS
READ CORRECTED

7-7-89

REGULAR MEETING

FRIDAY, JUNE 23, 1989

I. CALL TO ORDER: Meeting called to order at 9:00 a.m.

Present: Richard Hill-Vice Chairman, Kathy Hughes-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Ernie Stevens, David King-Council Members

Excused: Purcell Powless-Chairman, Larry Barton, Loretta Metoxen-Council Members

Others: Chris Doxtator, Bob Fresan, Debbie Doxtator, Richard Cornelius, Arlene Benson, Cheryl Skolaski, Steve Dodge, Baeten King, Randy Gauthier, Duwayne Smith, Roy Sloan, Kim Harrison, Richard Powless, Ernie Stevens Jr., Chas Wheelock, Gerald Doxtator, Jerry L. Hill

APPROVAL OF AGENDA

David King moved to adopt the agenda as amended:

- 1) Defer Discussion on Semi-Annual Report to Tuesday
- 2) Title IV Expenditures
- 3) Resolution on Indian Studies Legislature
- 4) Resolution on Bingo Construction
- 5) Vacation for Rick Hill

Amelia Cornelius seconded. Motion carried.

MINUTES TO BE APPROVED - None Scheduled

IV. TABLED/UNFINISHED BUSINESS - None

V. REPORTS:

1. HUMAN RESOURCES - Arlene Benson
 - Introduction of New Employees
 - a) Hiring of Day Care Supervisor/Teacher - Margaret T. Dugan
 - b) Hiring of Groundskeeper Aide I - Frank Melchert
2. TRAVEL REPORTS
 - a) Info: Lloyd Powless June Travel Reports

VI. NEW BUSINESS

3. RESOLUTIONS

- a). 1990 International Cultural Exchange With W. Germany
Resolution #6-23-89-A- Debbie Doxtator

WHEREAS, the Oneida Tribe of Indians of Wisconsin recognizes the need to share the Oneida and Iroquoian Cultures with other worldly groups, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has demonstrated its ability to establish and maintain on-going relationships through international cultural exchanges, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin is planning an international cultural and educational exchange with West Germany for the summer of 1990.

NOW THEREFORE BE IT RESOLVED: , that the Oneida Tribe of Indians of Wisconsin apply for a United States Information Agency International Educational and Cultural Activities Grant.

David King moved to adopt Resolution #6-23-89-A, Kathy Hughes seconded.
Motion carried.

- b). Employment Assistance Grant Resolution #6-23-89-B - Debbie Doxtator

WHEREAS, the Oneida Tribe of Indians of Wisconsin is extremely concerned and supportive of the health and welfare of its members, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin recognizes the severity of Alcohol and Drug Abuse on the Oneida Reservation and within the Tribal workforce, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has recognized the need for an Employee Assistance Program to reduce problems in workforce and to retain valuable employees.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin apply for an Employee Assistance Program Grant from the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

David King moved to adopt Resolution #6-23-89-B, Lloyd Powless seconded.
Motion carried.

- c). Employment Assistance Policy Statement & Resolution
#6-23-89-C - Debbie Doxtator

WHEREAS, the Oneida Tribe of Indians of Wisconsin is extremely concerned and supportive of the health and welfare of its members, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin recognizes the severity of Alcohol and Drug Abuse on the Oneida Reservation and within the Tribal Workforce, and

RESOLUTION #6-23-89-C (Continued)

WHEREAS, the Oneida Tribe of Indians of Wisconsin has recognized the need for an Employee Assistance Program to reduce problems in the workforce and to retain valuable employees.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Business Committee hereby approves the attached Oneida Tribal Employee Assistance Program Policy Statement.

Oneida Tribal Employee Assistance Program Policy Statement

The objective of the Oneida Tribal Employee Assistance Program (E.A.P.) is to reduce problems in the work force and retain valued employees. We recognize that problems of a personal nature can have an adverse effect on an employee's job performance. It is also recognized that most personal problems can be dealt with successfully when identified early and referred to appropriate care. The program provides these services through the Oneida Tribal Social Services Department. The Oneida Tribal Employee Assistance Program deals with the broad range of human problems such as emotional/behavioral, family and marital, alcohol and/or drug, financial, and other person problems.

The program provides problem assessment, short term counseling and referral. There will be no out-of-pocket expense to the tribal employee or members of his/her household for use of Oneida Tribal E.A.P. services. The tribal employee's health insurance may be billed for E.A.P. services. If the employee is referred for additional services outside of the Oneida Tribal Social Services Department, the employee is responsible for those charges not covered by his/her health insurance.

The policy for use of this program:

1. Tribal management is concerned with a tribal employee's personal problems and how they effect him/her as a person, as well as how the employee's well-being effects his/her work performance.
2. The policy applies to all employees of the Oneida Tribe no matter what their job title or responsibilities.
3. The E.A.P. is available to tribal employees or their families on a self-referral basis, since problems at home can affect the job. If tribal employees or family members have personal problems that may benefit from assistance, they are encouraged to use the E.A.P.
4. Participation in the E.A.P. will not jeopardize a tribal employee's job security, promotional opportunities or reputation.
5. All records and discussions of personal problems will be handled in a confidential manner. The records kept by the Oneida Tribal E.A.P. will not become part of the tribal employee's personnel file.

Employee Assistance Policy Statement (Continued)

6. Tribal employees will be encouraged to seek assistance to determine if personal problems are causing unsatisfactory job performance. If performance problems are corrected, no further action will be taken. If performance problems persist, the employee will be subject to the normal disciplinary procedures as outlined in the Tribal Personnel Policies and Procedures.

All levels of tribal management are responsible for using this program when appropriate to assist in resolving job performance problems related to personal problems.

8. Medical leave of absence may be granted for treatment or rehabilitation on the same basis as for other health problems.
9. This policy does not alter or replace the existing Tribal Personnel Policies and Procedures, but serves to assist in their utilization.

David King moved to adopt Resolution #6-23-89-C, Kathy Hughes seconded. Motion carried.

d). Indian Education Funds for UW-Schools Resolution
#6-23-89-D

WHEREAS, some UW campuses have shown good faith and committed their limited funds to address Indian-related institutional and student needs by developing courses and other instructional approaches to better educate Indians and inform non-Indians about the issues, and

WHEREAS, significant reductions in the state budget have resulted in the elimination of funds for much of the UW-System's Design for Diversity initiatives, and

WHEREAS, recent studies have shown that the issues surrounding the Chippewa treaties and resulting hunting and fishing have a substantial negative effect not only in northern Wisconsin but across the state, and

WHEREAS, it is understood that many of the anti-treaty, anti-Chippewa/anti-Indian activists reside far from the boat landings of northern Wisconsin, and

WHEREAS, to eliminate some of the racism and diminish actions based upon a lack of accurate information it is therefore appropriate to attack the problem across the state;

NOW THEREFORE BE IT RESOLVED: that the Great Lakes Inter-Tribal Council supports the extension of funds to the University of Wisconsin-Superior and to all other UW campuses serving a significant Indian population, and recommends that funds should be set aside annually for the development of course content and instruction addressing contemporary and historic Indian issues. These funds could be distributed across said campuses or offered on a competitive basis, and

RESOLUTION #6-23-89-D (Continued)

BE IT FURTHER RESOLVED: that each four year UW campus should receive funding in this initial year to aid in the development of Indian content-specific instruction to address the immediate issues.

David King moved to adopt Resolution #6-23-89-D, Amelia Cornelius seconded.

e). Bingo Building Construction Loan Resolution #6-23-89-E

WHEREAS, the Oneida Tribe of Indians of Wisconsin manages and operates the Oneida Bingo Enterprise operation; and

WHEREAS, it is in the best interests of the Tribe and the Corporation that the Oneida Bingo Enterprise operation be expanded by a loan from Kellogg-Citizens National Bank (the "Bank"); and

WHEREAS, the Tribe and the Corporation have executed certain documents in order to finalize a loan for \$850,000 to the Tribe and the Corporation by the Bank (the "Loan"), and the Tribe and the Corporation have enacted certain resolutions approving documents and transactions related to the Loan.

NOW, THEREFORE BE IT RESOLVED: that the Business Committee here by approves and ratifies the execution of the following documents by the Chairman and the Secretary of the tribe (the "Loan Documents"):

1. Promissory Note for \$850,000.00;
2. Loan Agreement
3. Assignment of Lease among the Tribe, the Enterprise and Corporation dated June 23, 1989, (the "Assignment");
4. The Leasehold Mortgage, Security Agreement and Assignment; and
5. General Business Security Agreement and UCC Filings.

BE IT FURTHER RESOLVED that all of the above referenced documents and all other documents which have been executed or will be executed by the Chairman and/or Secretary of the Tribe in furtherance obtaining the Loan are hereby approved on behalf of the Tribe; and

BE IT FURTHER RESOLVED that the Business Committee hereby authorizes the Chairman and the Secretary of the Tribe to execute all other documents that may be required to secure the necessary funding for the Loan, and to document the Loan; and

BE IT FURTHER RESOLVED that the Business Committee, on behalf of the Tribe as sole shareholder of the Corporation, hereby ratifies and approves any and all acts which any or all officers or agents of the Corporation have done or may do in the future in pursuance of or to facilitate the above-referenced Loan from the Bank; and

BE IT FURTHER RESOLVED that the Tribe shall recognize the choice of law provisions elected by the Tribe and the Corporation in the Loan Documents and related documents as fully enforceable elections as to the Corporation; and all courts are directed to honor and enforce the above-described provisions for choice of law, recognition of foreclosure and access to the real estate described in the Mortgage (the "Project Site"); and

Resolution #6-23-89-E (Continued)

BE IT FURTHER RESOLVED that any attorney selected by the Bank who is a licensed attorney authorized to practice in the courts of the State of Wisconsin will be automatically admitted to the courts of the Tribe for the purpose of any action related to the Loan; and

BE IT FINALLY RESOLVED that all prior resolutions related to the Loan and the transactions undertaken in connection therewith which have been passed by the Business Committee are hereby ratified and approved.

Amelia Cornelius moved to adopt Resolution #6-23-89-E, Lloyd Powless seconded. Motion carried.

Chas Wheelock inquired whether the tribal members traveling to Germany are using Oneida Nation passports. They are available from Howard Elijah in Canada. He feels this is another way for Oneida to show their sovereignty.

2) REQUESTS:

a). Parish Hall Property - Chris Doxtator

It was suggested that David King become a member of the Committee

b) Land Committee Minutes of June 12, 1989 - Chris Doxtator

1. Ernie Stevens moved that the Economic Development and Planning Committee provide the Land Committee with a plan for construction of Home Building in 30 days and that this plan include the budget for operation. Kathy Hughes seconded. Motion carried.
2. Resolution #6-23-89-F, Howard Elm Lease. Kathy Hughes moved to adopt, Amelia Cornelius seconded. Motion carried.
3. Resolution #6-23-89-G, Bernard Cornelius lease, Kathy Hughes moved to adopt, Amelia Cornelius seconded. Motion carried.
4. Resolution #6-23-89-H, Al Manders lease, David King moved to adopt, Lloyd Powless seconded. Motion carried.
5. Carol Metoxen application. Lloyd Powless moved to approve, David King seconded. Motion carried.
6. Richard Elm application, Amelia Cornelius moved to approve, Lloyd Powless seconded. Motion carried.
7. Richard Elm assignment of lease to bank. Kathy Hughes moved to approve, David King seconded. Motion carried.
8. Potable water study. Lloyd Powless moved to approve on the condition the tribal share comes from the Land Committee budget, Amelia Cornelius seconded. Motion carried.

Land Committee Recommendations (Continued)

9. Lloyd Powless moved to recommend not selling of fireworks on tribally owned property, Amelia Cornelius seconded. David King and Ernie Stevens abstained, 3 for. Motion carried.
10. Amelia Cornelius moved to have the Tribe share in the cost of the survey for the land next to Carl Kieffer, David King seconded. Motion carried.
11. Amelia Cornelius moved to allow Chris Doxtator the discretion to distribute the meat from the road killed cow, Ernie Stevens seconded. Motion carried.
12. Mary Jourdan survey. Amelia Cornelius moved to approve the request, Kathy Hughes seconded. Motion carried.

c). Discussion on Ernie Steven's Semi-Annual Report - Don Wilson - Deferred until June 27, 1989.

d) Sharon Metz Offer - Lloyd E. Powless

Kathy Hughes moved to refer to the Land Committee for a recommendation, Amelia Cornelius seconded. Motion carried.

e) Reconsider Motion Regarding Annual Audit - Ernie Stevens

Ernie Stevens moved that the Oneida Business Committee rescind the previous motion regarding this year's annual audit and directs that we continue, for this fiscal year, to continue to use the existing public accounting firm. Further, it is directed that the Audit Committee is instructed to arrange for a "Request For Bid" to be advertised and distributed no later than January 15, 1990, and the Audit Committee is requested to coordinate these activities with the Internal Auditor per the policies and procedures. Lloyd Powless seconded. Motion carried.

f) Letters of Support RE: Treaty Rights - Elizabeth Gauthier

Letter of support for upholding treaty rights and aid Indian Education amendment to State Senators and Representatives. Amelia Cornelius moved to submit letters of support, Kathy Hughes seconded. Motion carried.

g) Finance & Appropriation Recommendations of 6/21/89

1. Museum Request - Corn Husk Doll Workshop. Finance & Appropriations recommends referring to Community Support for funding.

Finance & Appropriations recommends the remaining request for workshops and equipment be obtained if grants can be obtained. F&A recommends referring the idea of an endowment to Thelma McLester for follow-up. David King moved to approve both recommendations, Amelia Cornelius seconded. Motion carried.

Finance & Appropriation Recommendations (Continued)

2. Request from Library - Need Part-time position for four (4) weeks. F&A recommends approval of request and to refer to Thelma McLester for coordination of funding through internship program. Lloyd Powless moved to approve, David King seconded. Motion carried.
3. Sewer Project - Total request is for \$21,531.50. Costs should be reimbursable when project is funded. F&A recommends approval from the monies set aside in the Land Acquisition fund as previously approved by the Land Committee. David King moved to approve, and to request a breakdown of expenses of the project and that Chris Doxtator be designated the sign-off person for the project. Also that information on the aerial photos be forwarded to Chris Doxtator, Ernie Stevens seconded. Motion carried.
4. ORTEK Request - Establishment of a \$75,000 line of credit. F&A recommends approval based on following conditions:
 - a) No draw can be made without approval by both partners;
 - b) Written confirmation of a matching line of credit from the PartnersLloyd Powless moved to approve, Amelia Cornelius seconded. Motion carried.
5. Review of F&A Policy Guidelines - F&A recommends the General Manager have sign-off authority for budgeted amounts up to and including \$10,000. An informational report on this activity should be included in year end. Amelia Cornelius moved to approve, Ernie Stevens seconded. Motion carried.
6. Amelia Cornelius moved that the General Manager be directed to meet on the 2nd Tuesday of the month with the Business Committee and submit a monthly written operational and financial report to include a profit and loss statement. It is also directed that the Enterprise Managers and Chartered Corporations present their reports at this meeting. Ernie Stevens seconded. Motion carried.
7. Title IV expenditures: Approval to expend \$9,705 for supplies and materials from Title IV before July 1, 1989. Any monies not spent will have to be returned. Lloyd Powless moved to approve the expenditures prior to July 1, 1989. Amelia Cornelius seconded. Motion carried.

11:00 A.M. 8. Cattle Project Financing - John Kroner

Request for \$70,000 at 1½% over AKB prime for 3 year amortization. Repayment from sale of crops with \$10,000 monthly reserve. Security is farm machinery, 30 cattle, funds from Land Committee and Tribal endorsement. Anticipate \$120,000 from sale of crops. Kathy Hughes moved to approve the loan contingent upon Land Committee approval. Lloyd Powless seconded. Motion carried.

3) CONTRACTS/AGREEMENTS/POLICIES

a) Environmental Policy - Chas Wheelock

Discussion and answers to Mr. Wheelock's questions on procedures for the proposed environmental policy.

b) Business Finance Systems Agreement - Lynn VandenLangenberg

Amelia Cornelius moved to table, Kathy Hughes seconded. Motion carried.

c) GAMMA Contract Amendments & Resolution #6-23-89-J - Jerry L. Hill

WHEREAS, the government of the Oneida Tribe, the Oneida General Tribal Council, has authorized the Oneida Business Committee to enter into agreements pursuant to the Oneida Constitution for the benefit of its members, and

WHEREAS, certain amendments have been proposed which are identified by memorandum of the Tribal Attorney and are included in the attached amended agreements, and which amendments the Oneida Business Committee has determined are protective of the rights and discretion of the Oneida Tribe, and

WHEREAS, the attached agreement, which includes the proposed amendments, when executed by both parties will supersede all other agreements with GAMMA regarding satellite bingo on the Oneida Indian Reservation.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Tribe authorized by its government and Constitution hereby contracts and agrees with all terms and provisions of the attached Integrated Gaming Services Agreement.

Kathy Hughes moved to adopt, David King seconded. Ernie Stevens abstained Motion carried.

4) TRAVEL/VACATION

a) Vacation - Rick Hill $\frac{1}{2}$ day on June 23 and all day on June 26, 1989. Kathy Hughes moved to approve, Lloyd Powless seconded. Motion carried.

VII. OTHER/INFORMATION

1 INFO: Annual Joint Luncheon Meeting with Oneida Airport Hotel Corporation. Amelia Cornelius moved to approve meeting with the Hotel Corp. on June 30, 1989 from Noon to 3 p.m. Lloyd Powless seconded. Motion carried.

2) Richard Cornelius requests a procedure exception to the Personnel Policies to call a special Appeals Body to hear his termination grievance. No information on case presented in writing. Lloyd Powless moved to direct Attorney Hill to

Richard Cornelius (Continued)

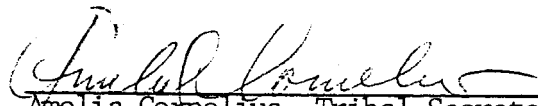
investigate the Richard Cornelius complaint of termination and present a report and recommendation to the Business Committee. Kathy Hughes seconded. Motion carried.

- 3) Richard Powless requests to be on the next agenda to discuss a problem.

VIII. EXECUTIVE SESSION

IX. RECESS/ADJOURN

David King moved to recess, motion seconded and carried.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee