



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
7-17-91

REGULAR MEETING

WEDNESDAY, JUNE 12, 1991

Present: Rick Hill-Chairman, Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Lloyd Powless, Julie Barton, Shirley Hill-Council Members

Excused: Amelia Cornelius (Madison), Mark Powless (Pendleton, OR), Russell Metoxen (Atlanta, Georgia)

Others: Debbie Powless, Gerald L. Hill, Sarah Plummer, Alma Webster, Diane Wilson, Z. Ron Skenandore, Dorothy Powless, Lee McLester, Pearl McLester, Madelyn Genskow, Gwen Skenandore, Chas Wheelock, Raeann Skenandore, Sharon House, Bobbi Webster, Arlene Benson

PRAYER: Debbie Doxtator

I. CALL TO ORDER

Meeting convened at 9:00 a.m.

II. APPROVAL OF AGENDA

Debbie Doxtator moved to approve the agenda as amended,

- 1) Francis Skenandore Response to Yakima Brief
 - 2) Delete National Check Consultants Item per Lynn VandenLangenberg Request.
 - 3) Delete Jody Kaften Concerns
 - 4) FICA/FUTA Exemptions
 - 5) Add Retroactive Travel Approval for Amelia Cornelius to Madison, WI
 - 6) Resolution RE: Gaming Commission Election
 - 7) Oneida Women's Basketball Team Request for a Fundraiser Night at Bingo
 - 8) Shirley Hill Travel Report
 - 9) Request for a Conditional Use Public Hearing (Per Zoning Ordinance) - Sarah Plummer
- Retro Active Approval for Julie Barton to Madison on June 7 & 8, 1991
Clint Wait Show Cancellation

and to refer item K to Executive Session. Loretta Metoxen opposed due to the fact that this item is public knowledge. Debbie felt that the Business

Committee needs to handle this item before any type of action is taken, Loretta Metoxen agreed contingent that it go public afterwards. Julie Barton seconded. Motion carried.

NEW EMPLOYEES: None

IV MINUTES TO BE APPROVED: None

V TABLED UNFINISHED BUSINESS: None

VI. REPORTS

1. HUMAN RESOURCES -

A) Approval Requested for: None

B) Hiring Information:

- 1) Retail Cashier Trainees - 9 Applicants Hired.
- 2) Vocational Education Project Coordinator-Career Center - Dale Wheelock
- 3) Food Service Worker Pool-Oneida Bingo-8 Applicants Hired
- 4) Tutor Aide - Green Bay JOM - Cory J. Ermatinger
- 5) Armed Security Officer - Bruce Cornelius

Question if the Retail Cashier Trainees are new employees or if they are hired under a employee pool. Z. Ron Skenandore stated that they are under an employee pool.

C) Transfers/Promotions/Reassignments

- 1) Transfer of Angela M. Doxtator to Food Service Worker from Bingo Worker
- 2) Transfer of Victoria E. Hill to Retail Cashier Trainee from Cashier/Sales Clerk
- 3) Transfer of Doreen J. Reed to Retail Cashier Trainee from Bingo Worker
- 4) Title reassignment for Mary Ann Hill, Jamison D. Hill, and Sally Doxtator to Data Reconciliation Clerk from Cashier/Sales Clerks

Shirley Hill requested that the Human Resources department provide a written justification to see why they are hired and try to find out why there are so many turnovers of new hires, transfers and reassignments.

2 TRAVEL REPORTS

A) Julie Barton - Reno, Nevada - Tribal Court Procedures - May 6-9 1991

Debbie Doxtator moved to accept the report, Loretta Metoxen seconded Julie Barton abstained. Motion carried.

3 OTHER REPORTS - None Scheduled

VII. NEW BUSINESS

1 RESOLUTIONS - None Scheduled

REQUESTS

A) National Check Consultants - Debbie Doxtator

Deleted per Lynn VandenLangenberg's request.

B) N.A.R.F Amicus Curiae Brief of Yakima County v. Confederated Tribes

NARF is preparing an Amicus Curiae brief on behalf of the Yakima Tribe, and they are requesting that the Oneida Tribe join the brief and to make a financial contribution to assist in the expense of preparing the brief. The brief is in regards to the issue of whether a county can tax Indian/tribal fee land.

Francis Skenandore submitted a recommendation to join NARF's amicus curiae brief on behalf of the Yakima Nation.

Debbie Doxtator moved to approve the recommendation to join NARF brief on behalf of the Yakima Nation. Julie Barton seconded.

Loretta Metoxen moved to refer the financial contribution to Finance & Appropriations Committee for identification of funds, Debbie Doxtator seconded. Motion carried unanimously.

Main motion carried unanimously.

C) Request from HONOR to Support The Civil Rights Act of 1991

Julie Barton moved to support the request and to send support letters to the U.S. Senate. Shirley Hill seconded and requested a copy of the act. Motion carried unanimously.

D) Management Training Plan

Deferred until Thelma McLester returns.

E) Proposed Regulations for Annual Fees Payable by Class II Gaming Operations.

Debbie Doxtator moved to have the General Manager, Gaming Manager, Accounting Staff, and Attorney Gerald L. Hill to review the proposed regulations for annual fees payable by Class II Gaming operations and provide a statement regarding the following for the Business Committee approval:

- 1) How the gross revenues effect the Tribe
- 2) Computation - How the fees will be computed
- 3) What impacts quarterly reports have
- 4) To look into the statement of "no significant economic impact"

and that Gerald L. Hill coordinate and Chair the meetings. Loretta Metoxen seconded. Motion carried unanimously. (Response is due by June 28, 1991.)

Lloyd Powless moved to start the process of getting a Public Hearing set up, and to contact the Senate Select Committee, NIGA, State Representatives. Debbie Doxtator seconded.

Loretta Metoxen stated that she and Debbie Doxtator are on the Gaming Compact Negotiations Committee. Chairman assigned them to follow-up.

Shirley Hill seconded the motion to get the public hearing started and to contact those listed above. Motion carried unanimously.

F) I.H.S. Well & Septic Investigation - Madelyn Genskow

Madelyn Genskow presented several hand-outs for the Committee:

- 1) Report of the IHS Investigative Committee
- 2) Eye Witness Report by Gwenevere Skenandore of June 5, 1991
- 3) Memorandum from Shirley Hill RE: Giving out Names of applicants
- 4) Fax from Russell D. Pederson, District Engineer

Madelyn Genskow stated the findings of the IHS Investigation Committee. Due to the fact that these findings were naming specific individuals, and that the questioning became out of order, Debbie Doxtator moved to refer these concerns to a special meeting, time to be set up at the Tuesday Morning Business Committee Briefing session. Julie Barton seconded. Motion carried unanimously.

A request was made by the IHS Investigative Committee to allow the IHS Representatives to attend the Community Meeting scheduled for this evening, specifically to hold the discussion until the IHS Investigative Committee and Representatives arrived.

Julie Barton stated that this request was okay and that action was not needed.

Due to the fact that Madelyn Genskow would have to make another trip (from Chicago) Pearl McLester suggested that she be given some type of compensation for her time and effort on the Investigation Committee.

Rick suggested that the Committee look into the possibility of making some type of compensation for Madelyn Genskow.

G) Request for Bingo Passes for the Clayton-Winchester Firefighters Fundraiser.

Loretta Metoxen moved to approve three (3) bingo passes for the Clayton-Winchester Firefighters Fundraiser, Debbie Doxtator seconded. Motion carried unanimously.

H) Request for Support to Change the Milton Senior High School Student/Parent Handbook

Shirley Hill moved to defer back to Thelma McLester and Julie Barton, because they are presently working on this subject. Julie stated that this could be a very long and carried out issue which calls for much support from parents, and other tribes.

I) Jody Kaften Concerns

Request concerned the Parent Committee appointments. Recommendations for this appointment are not ready. Recommendations will be available at the June 19, 1991 meeting.

J) Constitution Amendments - Debbie Doxtator

The Oneida Rules Committee is requesting a legal opinion on the necessary requirements for a Constitutional Amendment. They are inquiring if an amendment is the only route available, and what are the pros and cons of initiating a Constitutional Amendment?

Some areas that are being considered are:

1. Election of Business Committee - Recommending staggered terms
2. Secretary of Interior review and approval requirements throughout the Constitution.
3. Language Changes (i.e. Preamble)

Also the Rules Committee is requesting Attorney Hill to give a presentation on the Pine Tree Constitution, and to provide a copy of the Confidentiality Policy that was previously presented to General Tribal Council. The Rules Committee is requesting response to their requests by the first week of July, 1991.

Shirley Hill moved to approve the requests made by the Rules Committee, Julie Barton seconded. Debbie Doxtator abstained. Motion carried.

K) Charges Against Loretta V. Metoxen

Deferred to Executive Session

3. **CONTRACTS/AGREEMENTS** - None
4. **TRAVEL REQUESTS** (Include Cost Estimates)
 - A) Loretta V. Metoxen requests Chairman Hill, Vice Chairperson Doxtator, Larry Barton and Herself to attend a meeting in Milwaukee with several Attorneys and Terry Schlade of Altheimer & Gray, June 13 or 14, 1991. (Mileage is only cost) - Deferred to Executive Session.
 - B) Amelia Cornelius to British Columbia to attend the Professional Development Program Native American Language Issues Conference, Sept. 22-26, 1991. Registration Due June 15, 1991. (Cost is either \$1,853.75 or \$1,238.75, depending on date of departure, a Supersaver Fair for airfare is available.)

Debbie Doxtator moved that this travel request be referred back to the Secretary to discuss the possibility of somebody from the Tribal School attending the Conference. Shirley Hill seconded. Motion carried.

5. VACATION REQUESTS

- A) Rick Hill - July 1, 2, 3, 5 & 8, 1991. Loretta Metoxen moved to approve, Debbie Doxtator seconded. Motion carried unanimously.
- B) Julie Barton - July 5-14, 1991 & August 30 - September 13, 1991. Lloyd Powless moved to approve, Shirley Hill seconded. Motion carried unanimously.

VIII. OTHER

1. FICA/FUTA

Recommendation to request some advice from Wipfli and Ullrich on the FICA/FUTA Exemptions. Also to look into the short and long term ramifications for the Tribal organization as well as for the individuals who elect to participate. Debbie Doxtator is recommending that this process be followed before any further process takes place.

Loretta Metoxen moved to approve the request to follow the recommendation, Shirley Hill seconded. Motion carried. Debbie Doxtator abstained.

2. Retro-active Approval for Amelia Cornelius to Madison, WI

Rick Hill stated that he sent Amelia Cornelius to Madison to lobby on the Gaming Issues, Boat and River Boat Gambling. Debbie Doxtator moved to approve retro-active travel, Shirley Hill seconded. Motion carried unanimously.

3. Resolution on Gaming Commission Election - Gerald L. Hill

WHEREAS, the Oneida Election Ordinance was enacted on June 30, 1987, and amended on April 13, 1990, by the Oneida Business Committee to provide guidelines and an orderly system of conducting elections that comprehended the requirements of the Oneida Tribal constitution and laws and directives of the Oneida General Tribal Council, and

WHEREAS, the Oneida General Tribal Council on March 4, 1991, directed that the Oneida Gaming Commission members be elected and number of Commission members be extended to seven (7) from five (5), and

WHEREAS, the qualifications of the Oneida Gaming Commission members is provided for in the Oneida Gaming Ordinance, enacted on April 21, 1989, including the requirement of law enforcement background investigations, and

WHEREAS, in order to follow the Oneida Constitution, the Oneida Election and Gaming Ordinances, and subsequent directives of the Oneida General Tribal Council, it is a necessity that adequate time to comply with these tribal laws be scheduled so that a comprehensive and efficient election be held after the July, 1991, meeting of the Oneida General Tribal Council.

NOW THEREFORE BE IT RESOLVED: that the Oneida Election Ordinance as amended be followed in all respects regarding the conduct of the election of the Oneida Gaming Commission, except the Caucus for this election be held on June 24, 1991, so that necessary background checks for candidates may be completed prior to the time for the printing of ballots. Further, that the Oneida General Tribal Council and petition candidates shall be informed of these time requirements so that their petitions may be processed to conform to these procedures and laws governing elections within the Oneida Tribe.

Debbie Doxtator moved to approve, Shirley Hill seconded Motion carried unanimously.

Shirley Hill moved to follow-up on concerns brought up by Debbie Powless, Julie Barton seconded. Motion carried unanimously. (Shirley Hill will follow-up.)

4. Basketball Fundraising

The Oneida Women's Basketball Team is requesting authorization to have a bake sale at the Irene Moore Activity Center to cover travel expenses for their players and managers to attend the National Tournament in April of '92. They are also utilizing other sources of fund raisers. Special request for another night at Bingo is due to the fact that each Group may do fundraising one time per year. The Oneida Women's Basketball Team previously held a bake sale for the '91 tournament.

Loretta Metoxen made a motion that due to the date of the tournament, April '92, that this request be referred to Alma Webster to set up a date in early 1992 for the team to have a bakesale at the Irene Moore Activity Center, Julie Barton seconded. Motion carried unanimously.

5. Travel Report - Shirley Hil

Shirley Hill presented a report on Tribal Court Procedures - travel to Reno, NV on May 6-8, 1991.

Debbie Doxtator moved to approve the report, Julie Barton seconded. Motion carried.

Debbie Doxtator's Committee is meeting the 1st week of July

Julie Barton moved that Sharon House develop materials for a workshop on Public Law 280, Loretta Metoxen seconded. Motion carried unanimously. Loretta Metoxen suggested to Sharon that she begin prior to '53 to get all the history on Public Law 280.

6. Request for a Conditional Use Hearing Date

A request has been made to construct an All Car facility of the piece of property formerly occupied by the retail outlot on the Walmart site. The Zoning Ordinance requires that a Conditional Use Hearing be implemented for any automotive business (Body Shop, service station, etc.). Sarah Plummer is requesting a date for a Conditional Use Hearing to be scheduled to follow the regulations defined by the Zoning Ordinance.

Debbie Doxtator moved to defer to the Business Committee Briefing on Tuesday, June 18, 1991 to schedule a time. Loretta Metoxen seconded. Motion carried unanimously.

7 Retroactive Approval for Julie Barton to Madison, WI on June 7 & 8

Travel to Madison to meet with Cindy Broydrick and the Finance Committee. Shirley Hill moved to approve, Debbie Doxtator seconded. Motion carried. Julie Barton abstained.

8. Clint Wait Jr.

Request to cancel the Clint Wait Jr. Show due to lack of sales. 250 tickets available in the community and only one sold. Bobbie Webster is requesting that Gerald L. Hill review the contract to start the canceling process. Lloyd Powless moved to approve, Loretta Metoxen seconded. Motion carried unanimously.

9 Management Training Plan

Julie Barton moved to approve the plan and research the funding. Shirley Hill seconded.

Questions were raised in regards to students and or employees being trained by the Tribe and then taking jobs outside the Tribe. Is there a way to encourage our people to come back or stay with the Tribe once the training has been completed.

Suggestions and comments made by all aspects. Students, financially denied students, past and current employees. Suggest a public hearing on this issue because it is quite a controversy. Suggest that Managers encourage their employees to acquire training and return. Suggest offering options to students who receive funds, i.e. if they come back to the Tribe the payback will be based on a certain percentage, etc.

Motion on the floor was to approve the plan and research the funding. Motion carried unanimously.

Loretta Metoxen moved to defer to Julie Barton to work with Thelma McLester, per Kathy King's approval to do more research on the plan. Debbie Doxtator seconded. Motion carried unanimously.

Five Minute recess

IX. EXECUTIVE SESSION

Executive Session called at 11:45 A.M

Out of Executive Session No action taken