



Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, August 9, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, August 10, 2016
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

To get a copy of the agenda, go to: oneida-nsn.gov/government/business-committee/agendas-packets/

I. CALL TO ORDER AND ROLL CALL

II. OPENING

A. Special Recognition for Years of Services

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

page 8

III. ADOPT THE AGENDA

IV. OATHS OF OFFICE (No Requested Action)

V. MINUTES

A. Approve July 27, 2016, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

page 13

VI. RESOLUTIONS

A. Adopt resolution titled Oneida Airport Hotel Corp. dba Radisson Inn-Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

Sponsor: Larry Barton, Chief Financial Officer

page 28

B. Adopt resolution titled Oneida Bingo & Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

Sponsor: Larry Barton, Chief Financial Officer

page 32

C. Adopt resolution titled Oneida Golf Enterprise for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

Sponsor: Larry Barton, Chief Financial Officer

page 36

- D. Adopt resolution titled Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 40*
Sponsor: Larry Barton, Chief Financial Officer
- E. Adopt resolution titled Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 44*
Sponsor: Larry Barton, Chief Financial Officer
- F. Adopt resolution titled Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 48*
Sponsor: Larry Barton, Chief Financial Officer
- G. Adopt resolution titled Oneida One Stop – Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 52*
Sponsor: Larry Barton, Chief Financial Officer
- H. Adopt resolution titled Oneida Casino Travel Center Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 56*
Sponsor: Larry Barton, Chief Financial Officer
- I. Adopt resolution titled Three Clans Airport Wingate by Wyndham Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 60*
Sponsor: Larry Barton, Chief Financial Officer
- J. Adopt resolution titled West Mason Street Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 64*
Sponsor: Larry Barton, Chief Financial Officer
- K. Adopt resolution titled Mortgage & Foreclosure (Law)** *page 68*
Sponsor: Brandon Stevens, Councilman
- L. Adopt resolution titled Defining Comprehensive Housing Division in the Mortgage and Foreclosure Law** *page 89*
Sponsor: Brandon Stevens, Councilman
- M. Adopt resolution titled Conflict of Interest Policy Emergency Amendments** *page 92*
Sponsor: Brandon Stevens, Councilman

VII. APPOINTMENTS (No Requested Action)

VIII. STANDING COMMITTEES

- A. Legislative Operating Committee**
Sponsor: Councilman Brandon Stevens, Chair
- 1. Accept July 6, 2016, Legislative Operating Committee meeting minutes** *page 108*
- 2. Accept July 20, 2016, Legislative Operating Committee meeting minutes** *page 112*
- 3. Review memo regarding Employment Law and determine next steps on how to proceed with presenting Employment Law and handbook to General Tribal Council** *page 115*

4. Review certified Marriage Fee Schedule Rule and Marriage Fine Schedule Rule page 118

5. Accept memo regarding update on Active Files List as information page 135

B. Finance Committee

Sponsor: Tribal Treasurer Trish King, Chair

1. Approve August 1, 2016, Finance Committee meeting minutes page 139

IX. GENERAL TRIBAL COUNCIL

A. Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000

Sponsor: Lisa Summers, Tribal Secretary

1. Accept legislative analysis page 146

2. Accept legal analysis page 153

EXCERPT FROM JULY 27, 2016: (1) Motion by Tehassi Hill to defer the legislative analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, back to the Legislative Reference Office for specifics on laws and policies affected, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Jennifer Webster to defer the legal analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, to the August 10, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to accept the legislative progress report, seconded by David Jordan. Motion carried unanimously. (2) Motion by Lisa Summers to accept the legal progress report, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM MAY 25, 2016: Motion by Lisa Summers to accept the financial analysis, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM MAY 12, 2016: Motion by David Jordan to accept the verified petition from Michael Debraska regarding Per Capita Distribution; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed; to direct the Law, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's Office within sixty (60) days, and that a progress report be submitted in forty-five (45) days; and to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's Office within thirty (30) day, seconded by Lisa Summers. Motion carried unanimously.

B. Approve Special General Tribal Council FY2017 Budget meeting materials page 173

Sponsors: Lisa Summers, Tribal Secretary; Trish King, Tribal Treasurer

X. STANDING ITEMS

A. Accept update from Constitutional Amendments Implementation Team page 248

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM JULY 27, 2016: Motion by Tehassi Hill to defer the update from the Constitutional Amendments Implementation Team to the August 10, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

XI. UNFINISHED BUSINESS

A. Approve request to delete from agenda the approval of concept paper for Capital Improvement Project # 13-011 – Oneida Nation High School

page 257

Sponsor: Troy Parr, Assistant Division Director/Development

EXCERPT FROM JULY 27, 2016: Motion by Melinda J. Danforth to defer this item to the August 10, 2016, regular Business Committee meeting; and to request the Tribal Secretary's Office to schedule a time for the Oneida School Board, School Administrator and Principal, and Planning & Development Department to be in attendance to discuss this issue further, seconded by Fawn Billie. Motion carried unanimously.

XII. TABLED BUSINESS

A. Adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016

page 259

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016, seconded by Brandon Stevens. Motion ruled out of order by Chairwoman Tina Danforth. (2) Motion by Lisa Summers to table this item to the July 27, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

XIII. NEW BUSINESS

A. Approve updated Oneida Head Start/Early Head Start Selection Criteria

page 263

Sponsor: Don White, Division Director/Governmental Services

B. Accept 2016 Special Election Final Report and declare official results

page 266

Chair: Vicki Cornelius, Oneida Election Board

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

C. Approve request from Tribal Member to direct Division Director of Environmental Health & Safety to provide timelines, clarifications, and accountability regarding Environmental Health & Safety FY '16 3rd quarter report

page 272

Sponsor: Tina Danforth, Tribal Chairwoman

XIV. TRAVEL

A. TRAVEL REPORTS

1. Accept travel report – Chairwoman Tina Danforth – American Indian Sovereignty in Action – Havana, Cuba – July 18-22, 2016

page 283

B. TRAVEL REQUESTS

- 1. Approve Oneida Arts Board travel request in accordance with the Travel & Expense Policy – Three (3) Music from Our Culture (MOC) teachers and six (6) Kids Learning their Culture/Ways (KLU) students – National Indian Tourism Conference – Seattle, WA – September 13-15, 2016**

page 288

Chair-Elect: Dawn Walschinski, Oneida Arts Board
Liaison: Jennifer Webster, Councilwoman

XV. REPORTS *(This section of the agenda is scheduled to begin at 1:30 p.m.)*

A. OPERATIONAL REPORTS

- 1. Accept Human Resources Department FY '16 3rd quarter report (1:30 p.m.-1:50 p.m.)** *page 294*
Sponsor: Geraldine Danforth, Area Manager/Human Resources Department
- 2. Accept Governmental Services Division FY '16 3rd quarter report (1:50 p.m.-2:10 p.m.)** *page 312*
Sponsor: Don White, Division Director/Governmental Services
- 3. Accept Ombudsman FY '16 3rd quarter report (2:10 p.m.-2:30 p.m.)** *page 355*
Sponsor: Dianne McLester-Heim, Tribal Ombudsperson
- 4. Defer Internal Services Division FY '16 3rd quarter report to the August 24, 2016, regular Business Committee meeting** *page 359*
Sponsor: Joanie Buckley, Division Director/Internal Services

B. CORPORATE REPORTS *(No Requested Action)*

C. BOARDS, COMMITTEES, AND COMMISSIONS

- 1. Accept Oneida Commission on Aging FY '16 3rd quarter report (2:30 p.m.-2:45 p.m.)** *page 363*
Chair: Wes Martin Jr.
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
- 2. Accept Oneida Election Board FY '16 3rd quarter report (2:45 p.m.-3:00p.m.)** *page 371*
Chair: Vicki Cornelius
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
- 3. Accept Oneida Gaming Commission FY '16 3rd quarter report (3:00 p.m.-3:15 p.m.)** *page 373*
Chair: Mark A. Powless Sr.
Liaison: Brandon Stevens, Councilman

XVI. EXECUTIVE SESSION

A. REPORTS

- 1. Accept Chief Counsel report – Jo Anne House, Chief Counsel** *page 377*

B. STANDING ITEMS

- 1. Land Claims Strategy** *(No Requested Action)*

C. UNFINISHED BUSINESS

- 1. Accept verbal update regarding complaint # 2016-DR06-01 and defer item to August 24, 2016, regular Business Committee for final recommendation**

page 378

Sponsors: Tehassi Hill, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

EXCERPT FROM JUNE 22, 2016: Motion by Jennifer Webster to defer the update regarding complaint # 2016-DR06-01 to the August 10, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MAY 25, 2016: Motion by Lisa Summers to accept the update regarding complaint # 2016-DR06-01; and to defer item to the June 22, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM MARCH 30, 2016: Motion by Tehassi Hill to accept Complaint #2016-DR06-01, to acknowledge merit, and to assign Councilman Brandon Stevens, Councilman Tehassi Hill, and Councilwoman Jennifer Webster, seconded by Fawn Billie. Motion carried with one abstention.

- 2. Approve investigation results and close-out concern # 2016-CC-09**

page 380

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman; Fawn Billie, Councilwoman

EXCERPT FROM JUNE 22, 2016: Motion by Jennifer Webster to defer concern # 2016-CC-09 to Vice-Chairwoman Melinda J. Danforth and Councilwoman Fawn Billie, seconded by Fawn Billie. Motion carried unanimously.

- 3. Approve two (2) requests regarding complaint # 2016-DR07-01**

page 404

Sponsors: Lisa Summers, Tribal Secretary; David Jordan, Councilman; Brandon Stevens, Councilman

EXCERPT FROM JULY 27, 2016: Motion by Melinda J. Danforth to assign Secretary Lisa Summers, Councilman David Jordan, and Councilman Brandon Stevens to form a subcommittee to investigate the complaint, seconded by Fawn Billie. Motion carried unanimously.

- 4. Approve four (4) requests regarding Family Court Judge job description and position**
(This item is scheduled at 1:30 p.m.)

page 407

Sponsors: Melinda J. Danforth, Tribal Vice-Chairwoman; Fawn Billie, Councilwoman; Tehassi Hill, Councilman; Jennifer Webster, Councilwoman

EXCERPT FROM JULY 27, 2016: (1) Motion by Melinda J. Danforth to accept the resignation letter in accordance with section 7.2 of employment contract # 2013-0856, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Melinda J. Danforth to assign Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, Councilman Tehassi Hill, and Councilwoman Jennifer Webster to a subcommittee to work on the Family Court Judge job description; to invite the Chief Judges of the Judiciary and Family Court Clerk to participate in the development of the job description; and to bring back a final job description to the August 10, 2016, regular Business Committee meeting for approval, seconded by Fawn Billie. Motion carried unanimously.

D. TABLED BUSINESS (No Requested Action)

E. NEW BUSINESS

- 1. Approve limited waiver of sovereign immunity – First Data Merchant Services – contract # 2016-0564 (9:00 a.m.-9:30 a.m.)** *page 449*
Sponsor: Louise Cornelius, Gaming General Manager

- 2. Approve request to support procedural exception to reallocate funds from CapEX to Technology Set Aside regarding Surveillance System Replacement project for FY '16 and FY '17 (9:30 a.m.-10:00 a.m.)** *page 482*
Chair: Mark A. Powless Sr., Gaming Commission
Liaison: Brandon Stevens, Councilman

- 3. Approve request from Tribal Member for accountability to be provided regarding violation of Code of Ethics by Oneida Business Committee member at the July 27, 2016, regular Business Committee meeting (This item is scheduled at 10:00 a.m.)** *page 485*
Sponsor: Tina Danforth, Tribal Chairwoman

- 4. Review request from Tribal Member regarding depletion of Bureau of Indian Affairs – General Assistance Grant funds and determine appropriate next steps (This item is scheduled at 11:00 a.m.)** *page 497*
Sponsor: Tina Danforth, Tribal Chairwoman

- 5. Accept update regarding Chief Financial Officer employment contract as information** *page 502*
Sponsor: Trish King, Tribal Treasurer

XVII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 3:00 p.m., Friday, August 5, 2016, pursuant to the Open Records and Open Meetings Law, section 7.17-1.

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: oneida-nsn.gov/government/business-committee/agendas-packets/

For information, please call the Business Committee Support Office at (920) 869-4364 or (800) 236-2214.