



Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, November 8, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, November 9, 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. Presentation of grant award to Pulaski School District for Oneida Language program** *pp. 8-9*
Sponsor: Jennifer Webster, Councilwoman
- B. Special Recognition for Years of Service** *pp. 10-12*
Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

III. ADOPT THE AGENDA

IV. MINUTES

- A. Approve October 26, 2016, regular meeting minutes** *pp. 13-31*
Sponsor: Lisa Summers, Tribal Secretary

V. RESOLUTIONS

- A. Adopt resolution entitled Opposition to Back 40 Mine Project in Michigan** *pp. 32-33*
Sponsor: Nathan King, Director/Intergovernmental Affairs & Communications
- B. Adopt resolution entitled Adoption of Definition and Guidance Regarding “Day-to-Day”** *pp. 34-39*
Sponsor: Lisa Summers, Tribal Secretary

VI. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. **Accept October 20, 2016, Legislative Operating Committee meeting minutes** pp. 40-43

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. **Approve October 31, 2016, Finance Committee meeting minutes** pp. 44-53

VII. APPOINTMENTS

A. **Approve recommendation to appoint Vicki Cornelius, Floyd Silas Jr., and Yasiman Metoxen to the Oneida Pow Wow Committee** pp. 54-56

Sponsor: Tina Danforth, Tribal Chairwoman

VIII. UNFINISHED BUSINESS

A. **Approve recommendations regarding vacancies on the Oneida Personnel Commission** pp. 57-58

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the request to defer the update regarding vacancies on the Oneida Personnel Commission to the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 14, 2016: Motion by Lisa Summers to defer this item back to Chair's Office regarding the (2) two Oneida Personnel Commission vacancies not filled through posting #3 which had the deadline of June 20, 2016, and the one (1) vacancy not filled through posting #4 which had the deadline of July 15, 2016; and to request clarifications be brought back to the October 12, 2016, regular Business Committee, seconded by Tehassi Hill. Motion carried with two abstentions.

EXCERPT FROM AUGUST 24, 2016: (1) Motion by David Jordan to approve the recommendation to appoint Leland Wigg-Ninham, Eric Krawczyk, and Jennifer L. Hill to Oneida Personnel Commission, seconded by Melinda J. Danforth. Motion carried with one abstention. (2) Amendment to the main motion by Lisa Summers to direct the Tribal Secretary to bring back a chronology of events for these particular vacancies for information to the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.

B. **Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting**

Sponsor: Lisa Summers, Tribal Secretary

1. **Approved letter of support for the Menominee Nation opposing the Back Forty Mine** pp. 59-64

Requestor: Nathan King, Director/Intergovernmental Affairs & Communications

EXCERPT FROM OCTOBER 26, 2016: Motion by Jennifer Webster to defer this item for two (2) weeks with the understanding that Intergovernmental Affairs & Communications will submit an E-Poll request with the letter of support for the Menominee Nation opposing the Back Forty

Mine to Michigan Department of Environmental Quality, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to forward this item to the Intergovernmental Affairs & Communications Department to do further research; and for that area to bring back a report and proposed correspondence for the Business Committee to consider and support, to be conducted before the October 26, 2016, regular Business Committee meeting so that any action that may be taken can be accepted at the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

IX. NEW BUSINESS

- A. Review request from Tribal Member for assistance and donations to Standing Rock Sioux Tribe, Sacred Stone camp, and Oceti Sakowin Camps in their fight against Dakota Access Pipeline** *pp. 65-66*
Sponsor: Lisa Summers, Tribal Secretary
- B. Approve draft letter to President Barack Obama regarding Dakota Access Pipeline** *pp. 67-68*
Sponsor: Brandon Stevens, Councilman
- C. Review, discuss, and make any recommendations regarding letter from Ray Halbritter** *pp. 69-72*
Sponsor: Tina Danforth, Tribal Chairwoman
- D. Approve request to repost one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, as there were no applications received** *pp. 73-75*
Sponsor: Tina Danforth, Tribal Chairwoman
- E. Approve request to post one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, due to resignation** *pp. 76-77*
Sponsor: Lisa Summers, Tribal Secretary

X. TRAVEL

A. TRAVEL REQUESTS

- 1. Approve 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016** *pp. 78-80*

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

A. OPERATIONAL REPORTS

- 1. Accept Tribal Ombudsman FY '16 4th quarter report** *pp. 81-85*
(1:30 p.m.-1:50 p.m.)
Sponsor: Dianne McLester Heim, Tribal Ombudsman
- 2. Accept Human Resources Department FY '16 4th quarter report** *pp. 86-100*
(1:50 p.m.-2:10 p.m.)
Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

3. **Accept Internal Services Division FY '16 4th quarter report** pp. 101-120
(2:10 p.m.-2:30 p.m.)
 Sponsor: Joanie Buckley, Division Director/Internal Services
4. **Accept Governmental Services Division FY '16 4th quarter report** pp. 121-136
(2:30 p.m.-2:50 p.m.)
 Sponsor: Liz Somers, Division Director/Governmental Services

B. BOARDS, COMMITTEES, AND COMMISSIONS

1. **Accept Oneida Election Board FY '16 4th quarter report** pp. 137-138
(2:50 p.m.-3:05 p.m.)
 Chair: Racquel Hill
 Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
2. **Accept Oneida Nation Commission on Aging FY '16 4th quarter report** pp. 139-147
(3:05 p.m.-3:20 p.m.)
 Chair: Patricia Lassila
 Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
3. **Accept Oneida Gaming Commission FY '16 4th quarter report** pp. 148-151
(3:20 p.m.-3:35 p.m.)
 Chair: Mark A. Powless
 Liaison: Brandon Stevens, Councilman

XII. GENERAL TRIBAL COUNCIL *(To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)*

A. Petitioners Madelyn Genskow and Yvonne Metivier: Incentive stipends for Oneida Nation elections starting 2017

1. **Accept legal analysis** pp. 152-165
 Sponsor: Jo Anne House, Chief Counsel
2. **Accept financial analysis** pp. 166-170
 Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM OCTOBER 26, 2016: (1) Motion by Brandon Stevens to accept the updated legislative analysis, seconded by Lisa Summers. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by Lisa Summers to accept the progress report regarding the financial analysis, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM AUGUST 24, 2016: (1) Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow and Yvonne Metivier regarding incentive stipends for Oneida Nation elections starting 2017, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to send the verified petition to the Law, Finance, and Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Lisa Summers to direct the Law, Finance, and Legislative Reference Offices to submit their analyses to the Tribal Secretary's Office within sixty (60) days; and that a progress report be submitted in forty-five (45) days, seconded by Jennifer Webster. Motion carried unanimously. (4) Motion by Lisa Summers to direct the Direct Report Offices to submit appropriate administrative analyses regarding the petition to be submitted to

the Tribal Secretary's Office within thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously.

- B. Accept status update on the Emergency Food Pantry Implementation** pp. 171-172
Sponsor: Lisa Summers, Tribal Secretary
- EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the Tribal Member's request; and to direct a written update be provided at the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*
- C. Approve the 2017 Annual General Tribal Council meeting agenda, noting the remaining back-up materials must be submitted by Noon on Friday, November 18, 2016** pp. 173-176
Sponsor: Lisa Summers, Tribal Secretary
- D. Forward resolution entitled Designation of the Oneida Judiciary as the Judiciary Authorized Pursuant to Article V – Judiciary of the Oneida Nation Constitution, to the General Tribal Council for consideration** pp. 177-188
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
- E. Accept petition submitted by Frank Vandehei regarding support for Oceti Sakowin Camp and the Standing Rock Sioux Tribe in their battle against the Dakota Access Pipeline, as information only, as it does not meet the number of required signatures in accordance with the Oneida Nation Constitution and By-laws to call a special GTC meeting; and direct the Tribal Secretary to notify the petitioner of the action taken** pp. 189-198
Sponsor: Lisa Summers, Tribal Secretary

XIII. EXECUTIVE SESSION

A. UNFINISHED REPORTS

- 1. Accept Intergovernmental Affairs & Communications report – Nathan King, Director** pp. 199-205
- EXCERPT FROM OCTOBER 26, 2016: Motion by Jennifer Webster to defer the Intergovernmental Affairs & Communications report to the November 9, 2016, seconded by Lisa Summers. Motion carried unanimously.*

B. REPORTS

- 1. Accept Chief Counsel report – Jo Anne House, Chief Counsel** p. 206

C. STANDING ITEMS

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

D. AUDIT COMMITTEE

Chair: Tehassi Hill, Councilman

- 1. Approve Table Games audit and lift confidentiality requirement to allow Tribal Members to view the audit** pp. 207-227

E. UNFINISHED BUSINESS

- 1. Accept close-out report and recommendations regarding complaint # 2016-DR07-01** pp. 228-233
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the update; and to acknowledge that a close-out report with the final recommendations will be made for the November 9, 2016, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously.

F. NEW BUSINESS

- 1. Approve limited waiver of sovereign immunity Ignite Payments, LLC. – contract # 2016-0979** (This item is scheduled at 9:00 a.m.) pp. 234-299
Sponsor: Joanie Buckley, Division Director/Internal Services
- 2. Accept Final Monitoring Report regarding on-site performance review of Indian Housing Block Grant and Indian Community Development Block grant programs; and defer concern # 2016IHBG-1, concern # 2016-IHBG-2, finding # 2016-IHBG-3, and finding # 2016IHBG-4, to the appropriate parties for follow-up** (This item is scheduled at 1:30 p.m.) pp. 300-373
Sponsor: Lisa Summers, Tribal Secretary
- 3. Review request regarding Right-of-Way and Signage Issue** pp. 374-376
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
- 4. Review, discuss and make any recommendations regarding amendment agreement – contract # 2014-1164** pp. 377-383
Sponsor: Tina Danforth, Tribal Chairwoman
- 5. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1280** pp. 384-390
Sponsor: Tina Danforth, Tribal Chairwoman
- 6. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1281** pp. 391-397
Sponsor: Tina Danforth, Tribal Chairwoman
- 7. Approve appointment termination of Oneida Library Board member** pp. 398-399
Sponsor: Fawn Billie, Councilwoman; Liaison/Oneida Library Board
- 8. Approve Fletcher Law, PLCC. – contract # 2016-1209** pp. 400-416
Sponsor: Larry Barton, Chief Financial Officer
- 9. Review, discuss, and make any recommendations regarding directive from October 30, 2016, General Tribal Council meeting regarding reappointments of Oneida Total Integrated Enterprise Board** pp. 417-418
Sponsor: Tina Danforth, Tribal Chairwoman
- 10. Accept update regarding attendance of direct reports at mandatory active shooter training as information** pp.419-421
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

- 11. Review and determine next steps regarding request from Attorney Sam Wayne** *pp. 422-427*
Sponsor: Tina Danforth, Tribal Chairwoman
- 12. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting**
Sponsor: Lisa Summers, Tribal Secretary
- a. Approved draft correspondence regarding Ancillary Facilities for Tribal Chair's signature** *pp. 428-441*
Requestor: Jo Anne House, Chief Counsel
- 13. Review request to reconsider denial of Oneida Personnel Commission – Attorney Retainer Agreement – contract # 2016-1084** *pp. 442-456*
Sponsor: David Jordan, Councilman; Liaison Alternate/Oneida Personnel Commission
- 14. Accept concern # 2016-CC-19 as information** *pp. 457-458*
Sponsor: Tina Danforth, Tribal Chairwoman
- 15. Review complaint # 2016-DR06-06** *pp. 459-481*
Sponsor: Lisa Summers, Tribal Secretary
- 16. Review complaint # 2016-DR06-07** *pp. 482-493*
Sponsor: Lisa Summers, Tribal Secretary
- 17. Review complaint # 2016-DR11-01** *pp. 494-508*
Sponsor: Lisa Summers, Tribal Secretary
- 18. Review complaint # 2016-DR14-01** *pp. 509-523*
Sponsor: Lisa Summers, Tribal Secretary

XIV. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 4:30 p.m., Friday, November 4, 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: <https://oneida-nsn.gov/government/business-committee/agendas-packets/>

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