

Oneida Tribe of Indians of Wisconsin BUSINESS COMMITTEE



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



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.

P.O. Box 365 • Oneida, WI 54155
Telephone: 920-869-4364 • Fax: 920-869-4040

ONEIDA BUSINESS COMMITTEE MINUTES REGULAR MEETING January 9, 2008 Business Committee Conference Room

Present: Gerald Danforth - Chair
Kathy Hughes - Vice Chair
Mercie Danforth - Treasurer
Patty Hoeft - Secretary
Trish King - Council member
Paul Ninham - Council member
Melinda J. Danforth - Council member
Edward Delgado - Council member

Excused: Vince DelaRosa - Council member

Others Present: Barb Skenandore, K. Katch, Kitty Melchert, Nate Wisneski, Barb Dickson, Noreen Smith, Wanda Diemel, Marsha Danforth, Mindimoye, Twylite Moore, Linda Dallas, S. Webster, Peril Huff, Julie Denny, Susan White, C. Metoxen, Dale Wheelock

Opening Prayer: Randy Cornelius

Special Recognitions: None

1. Call to Order at 9:05 a.m. by Gerald Danforth

2. Oath of Office
ONCOA
Eugene Danforth - Not Present

3. Approval of the Agenda
a. Additions

To: Resolutions RE: Title VI Grants for Native Americans, Part A & C
U.S. DHHS Administration on Aging

To: Executive Session

New Business #6 Westlaw Contract

b. Deletions

From: Executive Session new business re: Wheelock and Associates, LLC

c. Moves

From: Regular Session Legislative Affairs section two, HALO item moved to Executive Session under Legislative Affairs

Action: Motion by Kathy Hughes to adopt the agenda with the noted changes with executive session item three scheduled for 1:30 p.m., seconded by Trish King. Motion carried unanimously.

Note: Mercie Danforth excused at 9:30 a.m.

4. Minutes to be Approved
Regular minutes of Dec. 19, 2007

Action: Motion by Melinda J. Danforth to approve the Dec. 19, 2007 minutes with the noted changes on page two and five, seconded by Ed Delgado. Motion carried unanimously.

5. Tabled Business
Special minutes of Dec. 12, 2007

Action: Motion by Kathy Hughes to remove the Dec. 12, 2007 minutes from the table, seconded by Melinda J. Danforth. Motion carried unanimously.

Action: Motion by Trish King to approve the Dec. 12, 2007 special minutes with the noted change on page two, item two, fourth motion corrected to read "and have the law office prepare advisory memorandum," seconded by Paul Ninham. Motion carried unanimously.

Note: Chair excused at 9:50 a.m.

6. Reports

Oneida Gaming Commission (Quarterly: Jan/Apr/July/Oct)
Shirley Hill - 1st meeting of the month

Action: Motion by Trish King to approve the Gaming Commission quarterly report,

seconded by Melinda J. Danforth. Motion carried unanimously.

Oneida Land Commission (Quarterly: Jan/Apr/July/Oct)
Amelia Cornelius - 1st meeting of the month

Action: Motion by Ed Delgado to approve the Land Commission quarterly report, seconded by Patty Hoeft. Motion carried unanimously.

Oneida Police Commission (Quarterly: Jan/Apr/July/Oct)
David Webster - 1st meeting of the month

Action: Motion by Ed Delgado to approve the Police Commission quarterly report, seconded by Patty Hoeft. Motion carried unanimously.

7. Travel Reports

1. Ed Delgado RE: NCAI Travel Report, Nov. 11-15, 2007, Denver, CO

Action: Motion by Trish King to approve the NCAI travel report, seconded by Paul Ninham. Motion carried unanimously.

8. Follow up Reports/BC Directives from Previous Meetings

1. JET Team RE: Valiant Implementation Plan

Excerpt from Dec. 5, 2007: Motion by Paul Ninham to direct the JET team to bring back an implementation plan within thirty days inclusive of: a communication plan that celebrates a compensation philosophy and a plan that's based on market; final report on minimums; 3% wage adjustment recommendations; accrual of vacation and personal time; and labor code, seconded by Melinda J. Danforth. Motion carried unanimously.

Action: Motion by Patty Hoeft to defer this item until 11:00 a.m., seconded by Paul Ninham. Motion carried unanimously.

Motion by Kathy Hughes to accept the report and defer to the Jan. 23, 2008 Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.

2. Debbie Thundercloud RE: Opinion on the issues raised on issues regarding the contract with Exxon Oil Company and legal memorandum relating to Exxon Oil Company contract

Excerpt from Dec. 19, 2007: Motion by Vince DelaRosa to direct the General Manager to offer an opinion on the issues that have been raised by Ms. White's memorandum and bring forward a legal memorandum relating to our contact with Exxon Oil Company and the questions which were raised today, seconded by Kathy Hughes. Motion carried unanimously.

Action: Motion by Paul Ninham to approve a thirty (30) day deferral regarding Exxon Oil Company contract review, seconded by Trish King. Motion carried unanimously.

3. Bill Gollnick

RE: Report on the Hobart Service Agreement ending Nov. 16, 2007 for closure of record

Excerpt from Dec. 19, 2007: Motion by Patty Hoeft to direct the Chief of Staff to provide a written report on the complete status of the Hobart Service Agreement ending Nov. 16, 2007 listing the pay-outs to close for the closure of the record and bring back at the next Oneida Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously.

Action: Motion by Kathy Hughes to accept the report and have further follow-up on historical details of Hobart service agreements at the January 14, 2008, 3:30 p.m. scheduled meeting, seconded by Paul Ninham. Motion carried unanimously.

4. Debbie Thundercloud

RE: Oneida Housing Authority Report

Excerpt from Nov. 20, 2007: Motion by Trish King, to approve the Oneida Housing Authority Report and direct the General Manager to come back with a report on what can take place to answer the issues raised today such as but not limited too rent increases, housing policy in regards to designated purposes for the Three Sisters Housing site, to develop standard tenant meetings and possibilities of looking at the issue of neighborhood committees and report back by the first meeting in January, seconded by Ed Delgado. Motion carried unanimously.

Action: Motion by Paul Ninham to approve a deferral of the OHA report to the Jan. 23, 2008 Business Committee meeting to allow for ONCOA comments, seconded by Trish King. Motion carried unanimously.

9. New Business
a. Resolutions

1. Marsha Danforth

RE: Title VI Grants for Native Americans, Part A & C
U.S. DHHS Administration on Aging

Action: Motion by Melinda J. Danforth to adopt resolution 1-09-08-A, Title VI grants for

Native Americans, Part A & C, U.S. DHHS Administration on Aging, seconded by Trish King. Motion carried unanimously.

Note: Chair arrived at 10:30 a.m.

b. Requests

1. Susan White RE: Authorization to sign routine contracts with Bay Bank regarding Southwest Securities Inc. and Packerland Brokerage Services, Inc.

Action: Motion by Kathy Hughes to refer the request for authorization to sign routine contracts with Bay Bank regarding Southwest Securities Inc. and Packerland Brokerage Services, Inc. back to the Trust Department and the Trust Committee for further legal analysis, seconded by Melinda J. Danforth. Motion carried unanimously.

2. Kathy Hughes RE: Oneida Enterprise Development Authority (OEDA) Board Recommendation

Action: Motion by Ed Delgado to defer the OEDA board recommendation to the Chair's office for review of appointment process, back at the Jan. 23, 2008 Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.

3. Patty Hoeft RE: Richard Moss withdrawal of GTC Petition - FYI

Action: Motion by Patty Hoeft to accept Richard Moss' withdrawal of GTC petition as FYI, seconded by Paul Ninham. Motion carried unanimously.

4. Mercie Danforth RE: Retro approval of Indirect Cost Negotiation Agreement

Action: Motion by Kathy Hughes to retro-approve the Indirect Cost Negotiation Agreement, seconded by Paul Ninham. Motion carried unanimously.

c. Travel Requests

1. Mercie Danforth RE: Eighth Semi-annual Native American Finance Conference Feb. 27-29, 2008, Las Vegas, NV

Action: Motion by Kathy Hughes to approve the travel request to attend the Eighth Semi-annual Native American Finance Conference Feb. 27-29, 2008 in Las Vegas, NV, seconded by Ed Delgado. Motion carried unanimously.

2. Kathy Hughes

RE: Tribal Technical Advisory Group (TTAG) Mtg.
Feb. 19, 22, 2008, Washington, DC

Action: Motion by Trish King to approve the TTAG travel request, seconded by Melinda J. Danforth. For: Trish King, Melinda J. Danforth, Paul Ninham, Ed Delgado, Patty Hoeft. Abstained: Kathy Hughes. Motion carried.

10. Finance Committee - None

11. Legislative Operating Committee (LOC)

For Consideration

Resolution adopting extension of adoption of emergency amendments to the Oneida Housing Ordinance

Action: Motion by Ed Delgado to adopt resolution 1-09-08-B, extension of emergency amendments to the Oneida Housing Ordinance, seconded by Trish King. Motion carried unanimously.

12. Treasurer's Report - None

13. Oneida Business Committee Planning

Minutes of Dec. 11, 2007

Excerpt from Dec. 19, 2007: Motion by Kathy Hughes to defer the Oneida Business Committee Planning minutes of Dec. 11, 2007 to the Jan. 9, 2008 Oneida Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously.

Action: Motion by Melinda J. Danforth to approve the Dec. 11, 2007 Planning minutes, seconded by Kathy Hughes. Motion carried unanimously.

14. Executive Staff Meeting - None

15. Legislative Affairs Update

1. Municipal and County Report
 - a. Town of Oneida Meeting
 - c. Sewer extensions on Packerland Drive

Action: Motion by Kathy Hughes to defer items a. and c. to the Jan. 23, 2008 Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.

Note: Legislative Affair items a. Town of Oneida meeting was moved on during discussion in Executive Session.

b. HALO - moved to executive session

Recessed until 11:35 a.m.

Into Executive Session at 11:35 a.m.

Action: Motion by Ed Delgado to go back into Regular Session at 3:45 p.m., seconded by Paul Ninham. Motion carried unanimously.

16. Executive Session

a. Tabled Business

1. Gaming Commission RE: Attorney Contract for William Cornelius

Excerpt from Dec. 19, 2007: Motion by Kathy Hughes to table the current Attorney contract for William Cornelius to the Jan. 9, 2008 Oneida Business Committee meeting, seconded by Mercie Danforth. Motion carried unanimously.

Action: Motion by Paul Ninham to take this item from the table, seconded by Melinda J. Danforth. Motion carried unanimously.

Action: Motion by Kathy Hughes to approve the Attorney Contract for Attorney William Cornelius with an amendment to Section 3 by adding the following final sentence "total compensation in this section shall not exceed \$120,000, seconded by Melinda J. Danforth. Motion carried unanimously.

b. Old Business

1. Lloyd Powless RE: Charlene Smith Contract

Excerpt from Dec. 5, 2007: Motion by Paul Ninham to approve a thirty (30) day extension on the original contract and refer the new contract back to the General Manager, seconded by Patty Hoeft. For: Paul Ninham, Patty Hoeft, Melinda J. Danforth, Mercie Danforth. Opposed: Ed Delgado, Trish King. Motion carried.

Action: Motion by Ed Delgado to approve the attorney contract for Charlene Smith, seconded by Paul Ninham. For: Ed Delgado, Paul Ninham, Trish King, Kathy Hughes, Patty Hoeft. Abstained: Melinda J. Danforth. Motion carried.

Action: Motion by Ed Delgado to rescind the previous motion to approve the attorney contract for Charlene Smith, seconded by Melinda J. Danforth. For: Ed Delgado, Melinda J. Danforth, Paul Ninham, Trish King, Patty Hoeft. Opposed: Kathy

Hughes. Motion carried.

Action: Motion by Ed Delgado to approve the attorney contract for Charlene Smith with the deletion of Section 4.3, seconded by Melinda J. Danforth. For: Ed Delgado, Melinda J. Danforth, Paul Ninham, Trish King, Patty Hoeft. Opposed: Kathy Hughes. Motion carried.

c. New Business

1. Patty Hoeft RE: Wheelock & Associates, LLC Capacity building/technical assistance contract proposal for OHA

Deleted

2. Mercie Danforth RE: Bear Claw Gaming Association Inc. Contract Addendum

Action: Motion by Kathy Hughes to approve an extension of the Bear Claw Gaming Association Inc. Contract to June 30, 2008, seconded by Patty Hoeft. Motion carried unanimously.

3. Lance Broberg RE: Proposed OAHC Legal Structure

Action: Motion by Kathy Hughes to approve the Oneida Airport Hotel Corporation developing an LLC for the acquisition of Windgate, developing an LLC for management and investment in Three Clans Millennium Park, and development of an LLC for management and investment of Three Clans Plankview Green, seconded by Trish King. Motion carried unanimously.

4. Bill Gollnick RE: Retro approval 8th addendum to Arlinda Locklear Attorney Contract

Action: Motion by Patty Hoeft to retro approve the 8th addendum to Arlinda Locklear attorney contract, seconded by Ed Delgado. Motion carried unanimously.

5. Gerald Danforth RE: Oneida Gaming Commission Appointment Follow-up

Action: Motion by Melinda J. Danforth to accept the Oneida Gaming Commission appointment follow-up as FYI, seconded by Paul Ninham. Motion carried unanimously.

6. Gerald Danforth RE: Westlaw Contract

Action: Motion by Kathy Hughes to delete the Westlaw contract, seconded by Trish King. Motion carried unanimously.

d. Legislative Affairs Update

Town of Oneida Signage

Action: Motion by Ed Delgado to approve funding of the Town of Oneida signage and amend the service agreement for those amounts (approximately \$6,300.00), seconded by Melinda J. Danforth. Motion carried unanimously.

Joint Public Safety Facility

Action: Motion by Ed Delgado to adopt resolution 1-09-08-C, authorization to enter into N.E.W. PSPC Agreement regarding state grant funding with the Chair authorized to sign PSPC Agreement, seconded by Kathy Hughes. Motion carried unanimously.

e. Attorney Brief
January 9, 2008

Action: Motion by Patty Hoeft to accept the attorney Brief of January 9, 2008, seconded by Kathy Hughes. Motion carried unanimously.

Stormwater Utility Charge

Action: Motion by Kathy Hughes to scheduled a Special Business Committee meeting Thursday morning, Jan. 17, 2008 to discuss and possibly act on the Stormwater assessment fees from Hobart, seconded by Paul Ninham. Motion carried unanimously.

f. Audit Committee

1. Status Update on the OHA Audit Report

Excerpt from Dec. 19, 2007: Motion by Vince DelaRosa to defer the OHA issue back to the Audit Committee for finalization back in Jan. 2008, seconded by Patty Hoeft. Motion carried unanimously.

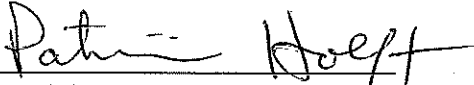
Action: Motion by Patty Hoeft to accept the written OHA Audit report as FYI, seconded by Melinda J. Danforth. For: Patty Hoeft, Melinda J. Danforth, Paul Ninham, Trish King, Ed Delgado. Abstained: Kathy Hughes. Motion carried.

g. Oneida Enterprise Development Authority - None

Recess/Adjourn @ 3:55 p.m.

Action: Motion by Kathy Hughes to adjourn, seconded by Kathy Hughes. Motion carried unanimously.

Minutes Approved as presented/corrected on January 23, 2008


Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE