



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, September 28, 2011
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Chairman Ed Delgado, Vice Chairman Greg Matson, Treasurer Tina Danforth, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Paul Ninham, Brandon Stevens.

Others present: Barbara Skenandore, Shirley Barber, Dorothy J. Skenandore, Lois Strong, Pearl McLester, Debbie Danforth, Barb Dickson, Lois Powless, Richard Moss, Susan Daniels, Noreen Smith, RC Metoxen, Dianne McLester-Heim, Rae Skenandore, Joan Christnot, Lance Broberg, Nate Wisneski, Dorothy A. Skenandore, Dale P. Wheelock, Jennifer Falk, Wes Martin, Fred Muscavitch, Jodie Skenandore, Lance Hill, Geraldine Danforth, Cheryl Stevens, Susan White, Jessica Powless, Tamara VanSchyndel, Tracy Williams, Racquel Hill, Joanne Buckley, Kevin Rentmeester, Matt Denny, Gina Buenrostro, Tom Danforth

I. Call to Order and Roll Call by Chairman Ed Delgado

II. Opening by Chairman Ed Delgado

III. Approve the agenda

Motion by Patty Hoeft to approve the agenda with the following additions to the open session 1) Sept. 23 Finance Committee meeting minutes 2) Travel request from the CFO for Oct. 19 to Boston 3) Letter of support for the Menominee Tribe 4) Appointments to the Anna John Nursing home; Carol Elm, Carol Silva and Dorothy J. Skenandore 5) Wells Fargo Merchant Agreement amendment and limited waiver of sovereign immunity (moved from Executive Session) and one addition in Executive Session 1) Request for financials from the corporate boards, from Vince DelaRosa; and then with the following changes 1) Move item XI.3 Create subcommittee to review ORCCC project and recommend cost reductions, to follow the ONCOA quarterly report 2) Go into executive session from 1-3pm to discuss item XV.C.1 Renewal or posting General Manager, Gaming General Manager, Chief of Staff employee contracts/positions, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

IV. Oaths of Office

V. Minutes to be approved

1. Sept. 14 Business Committee meeting minutes

Motion by Patty Hoeft to defer the Sept. 14 Business Committee meeting minutes to the Oct. 12 BC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

VI. Resolutions

1. **Appoint Councilman Paul Ninham as Delegate to Natural Resource Damage Assessment (NRDA) Trustee and alternates**

Sponsor: Paul Ninham

Motion by Melinda J. Danforth to adopt BC Resolution 09-28-11-A Appoint Councilman Paul Ninham as delegate to Natural Resource Damage Assessment (NRDA) Trustee and alternates, seconded by Vince Delarosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. **Support Development of Tribal Clean Energy Resource Center (TCERC) and Appoint Councilman Paul Ninham as Delegate to TCERC Tribal Advisory Committee**

Sponsor: Paul Ninham

Motion by Melinda J. Danforth to adopt BC Resolution 09-28-11-B Oneida Tribe of Indians of Wisconsin's resolution in support of the "Tribal Clean Energy Resource Center" proposal sponsored by various Tribal leaders, Tribal organizations and Northern Arizona University, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Melinda J. Danforth to appoint Paul Ninham as a delegate to the TCERC Tribal Advisory committee, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. **Establish Oneida Community and Employee Wellness Team**

Sponsor: Debbie Thundercloud

Motion by Patty Hoeft to defer the Establish Oneida Community and Employee Wellness Team proposed resolution to the Oct. 12 BC meeting, seconded by Vince DelaRosa. Motion carried with two oppositions:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson

Opposed: Paul Ninham, Brandon Stevens

4. **Designate Oneida Social Services Child Care for Self-Sufficiency Program as lead agency for US Dept. Health and Human Services Administration for Children and Families, Child Care and Development Fund (CCDF)**

Sponsor: Debbie Thundercloud

Motion by Patty Hoeft to adopt BC Resolution 09-28-11-C Designate Oneida Social Services Child Care for Self-Sufficiency Program as lead agency for US Dept. Health and Human Services Administration for Children and Families, Child Care and Development Fund (CCDF) and make the necessary changes to the resolution, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

VII. Board, Committee, Commission and Corporate Board quarterly reports

1. Bay Bank

Sponsor: John Johnson

Motion by Brandon Stevens to accept the Bay Bank quarterly report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Oneida Total Integrated Enterprises (OTIE)

Sponsor: Butch Rentmeester

Motion by Patty Hoeft to accept the Oneida Total Integrated Enterprise (OTIE) quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Oneida Airport Hotel Corporation

Sponsor: Lance Broberg

Motion by Paul Ninham to accept the Oneida Airport Hotel Corporation quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

4. Oneida Golf Enterprise

Sponsor: Lance Broberg

Motion by David Jordan to accept the Oneida Golf Enterprise quarterly report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

5. Oneida Seven Generations

Sponsor: William Cornelius/Kevin Cornelius

Motion by Paul Ninham to accept the Oneida Seven Generation quarterly report, seconded by David Jordan. Motion carried unanimously:

Ayes: Tina Danforth, Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

6. Library Board

Sponsor: Danielle White

Motion by Vince DelaRosa to defer the Library board quarterly report to the Oct. 12 BC meeting for clarity, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Tina Danforth

7. Oneida Nation Commission On Aging

Sponsor: Dellora R. Cornelius

Motion by Vince DelaRosa to accept the Oneida Nation Commission on Aging quarterly report, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

VIII. Standing Committees

A. Legislative Operating Committee

1. LOC meeting minutes of July 11, 2011

Sponsor: Melinda J. Danforth

Motion by Brandon Stevens to approve the LOC meeting minutes of July 11, 2011, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. LOC meeting minutes of Aug. 12, 2011

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to approve the LOC meeting minutes of Aug. 12, 2011, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Per capita law amendments

Sponsor: Melinda J. Danforth

Motion by Brandon Stevens to approve a Nov. 10, 2011 public hearing for the Per capita law amendments, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

4. Hunting, fishing and trapping law amendments

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to approve a Nov. 10 public hearing date for the hunting, fishing and trapping law amendments, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

5. Legal review of OAC cases

Sponsor: Melinda J. Danforth

Motion Melinda J. Danforth to direct the law office to review the appeal commission cases and notify the Legislative Operating Committee when decisions containing legislative impacts or potential legislative impacts are issued, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Tina Danforth

B. Finance Committee

1. Finance Committee Aug. 12, 2011 meeting minutes

Sponsor: Tina Danforth

Motion by Vince DelaRosa to accept the Aug. 12, 2011 Finance Committee meeting minutes, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Melinda J. Danforth

Community Development Planning Committee (CDPC)

C. Quality of Life

IX. Travel

A. Travel reports

1. Region 5 Tribal Operations Committee (R5TOC) meeting, Aug. 2-3, Red Lake, MN

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to accept the Region 5 Tribal Operation Committee (R5TOC) meeting travel report, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Melinda J. Danforth

Motion by Melinda J. Danforth to direct the General Manager to review the draft Guidebook for Building Tribal Environmental Capacity and to draft a formal response on behalf of the Tribe for the Chairman's signature prior to the Nov. 30, 2011 deadline for travel consultation, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. National Indian Gaming Association (NIGA) sub-committee meeting, Aug. 22, Prior Lake, MN

Sponsor: Brandon Stevens

Motion by to Paul Ninham to accept the National Indian Gaming Association (NIGA) sub-committee meeting travel report, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Obama Victory Fund 2012 Tribal Leaders meeting with Vice President Joe Biden event, Aug. 31- Sept. 2, Washington, DC

Sponsor: Ed Delgado, Patty Hoeft, David Jordan

Motion by Paul Ninham to retro-approve the e-poll authorizing Chairman Delgado, Secretary Hoeft and Councilman David Jordan to travel to Washington, DC Aug. 31-Sept. 2, to participate in the Obama Victory Fund 2012 meetings with Tribal leaders, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

Motion by Brandon Stevens to accept the written and verbal travel report, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

4. HHS Tribal Consultation meeting, Sept. 14-15, Washington, DC

Sponsor: Ed Delgado

Motion by Tina Danforth to retro approve travel to HHS Tribal Consultation meeting, Sept. 14-15, Washington, DC, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

Motion by Patty Hoeft to accept the HHS Tribal Consultation meeting, Sept. 14-15, Washington, DC, travel report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

5. Land Consolidation Working meeting, Sept. 19-21, Hinckley, MN

Sponsor: Ed Delgado

Motion by Patty Hoeft to accept the Land Consolidation Working meeting, Sept. 19-21, Hinckley, MN, travel report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

B. Travel requests

1. Kristine Hill, Melissa Skenandore, Micah Nickey to 2011 Rehabilitation Services Administration/Consortia of Administrators for Native American Rehabilitation (RSA/CANAR) Annual Training & Technical Assistance Conference, Oct. 23-26, Orlando, FL

Sponsor: Debbie Thundercloud

Motion by Tina Danforth to approve travel request for Kristine Hill, Melissa Skenandore, Micah Nickey to 2011 Rehabilitation Services Administration/Consortia of Administrators for Native American Rehabilitation (RSA/CANAR) Annual Training & Technical Assistance Conference, Oct. 23-26, Orlando, FL, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Excused: Ed Delgado

2. National Board of Regents at Haskell Indian Nations University Fall meeting, Oct. 4-7, Lawrence, KS

Sponsor: Brandon Stevens

Motion by Patty Hoeft to approve the travel request to National Board of Regents at Haskell Indian Nations University Fall meeting, Oct. 4-7, Lawrence, KS, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham
Abstained: Brandon Stevens
Excused: Ed Delgado

3. Retro-approve Listening Session, SEOTS, Sept. 21-22, Milwaukee, WI

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to retro-approve the travel request to Listening Session, SEOTS, Sept. 21-22, Milwaukee, WI, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Excused: Ed Delgado

Note: Travel is paid for by BIE

X. General Tribal Council

XI. Follow-ups/BC directives

1. Employee accrued vacation pay proposals using Oneida gift cards for employees with more than 280 accrued hours and trade back for cash quarterly basis in 2012

Sponsor: Joint Executive Management Team (JET)

Excerpt from Sept. 14: Motion by Patty Hoeft to defer the request to use Oneida gift cards for employees with more than 280 accrued hours to the Sept. 28 BC meeting, seconded by Vince DelaRosa. Motion carried with one abstention.

Excerpt from Sept. 14: Motion by Patty Hoefft to defer the trade back for cash request to the Sept. 28 BC meeting to allow the Business Committee to meet with JET before the meeting to review the trade back for cash benefit, seconded by Vince DelaRosa. Motion carried with two abstentions.

Motion by Patty Hoefft to approve the HR recommendation to implement option B that will allow the employees to trade back their vacation and/or personal hours on a quarterly basis; with the understanding that the employee cannot trade back more than 80 hours in one year, seconded by Brandon Stevens. Motion carried with one opposition and one abstention:

Ayes: Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Opposed: Melinda J. Danforth
Abstained: Tina Danforth

Motion by David Jordan to approve the exchange of banked hours for Oneida Gift cards resolution, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Paul Ninham, Brandon Stevens
Abstained: Greg Matson

2. Create team to create organization structure, budget and policy reform

Sponsor: Melinda J. Danforth

Excerpt from Sept. 14: Motion by Patty Hoefft to defer the recommendation to create a team to create organization structure, budget and policy reform to the Sept. 28 BC meeting, which will allow the Business Committee to work on the recommendation during the next two weeks, during their budget meetings, seconded by Brandon Stevens. Motion carried with one opposition.

Motion by Melinda J. Danforth to defer the item create team to create organization structure, budget and policy reform to the Oct. 12 BC meeting, seconded by Patty Hoefft. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: Tina Danforth

3. Create subcommittee to review ORCCC project and recommend cost reductions

Sponsor: Ed Delgado

Excerpt from Sept. 14: Motion by Tina Danforth to approve that a subcommittee be created regarding ORCCC project and the recommendations for the subcommittee come back for final approval to the committee in two weeks, seconded by Vince DelaRosa. Motion passes with four opposed, with the support of Chairman Delgado.

Motion by David Jordan to rescind create subcommittee to review ORCCC project and recommend cost reductions request from the Sept. 14 BC meeting, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Tina Danforth

Motion by Brandon Stevens to release the remaining funds of \$13,466,785 million to construct the ORCCC facility, seconded by Patty Hoeft. Motion carried with one opposition:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Opposed: Vince DelaRosa

For the record: Vince DelaRosa stated he opposed, he issued a memo and he would appreciate if he could get responses. He will send it out, he does not know if everyone has seen it or not; it is dated Sept. 20th. He does want a new nursing home built; that is not a question, he has some questions about costs. The Chairman has tried to look at costs and knows that we have been able to drive any costs down. One of his biggest concerns is that this facility will serve about 3.5% of the identified population of people that could be needed services. The presentation that you guys gave us indicated that there would be over 13,000 people; tribal elders, 65 and older who presumably would be in this population group and we are only going to be servicing about 3.5% of those folks. The other 96.5%, I have no idea what we are going to offer. He has framed out in his correspondence, he talks about Medicare; a couple plans like pace and social manage care plan and some other things. He entered his memorandum into the record to clarify his concerns. He also stated he understands when a previous council approves a budget; it would be nice for this council to just kind of rubber-stamp that and move it forward, but he did have some questions and he would have liked to see those answered, but as the Councilman has stated there is a belief that the projects ready to go and it needs to go.

Amendment to the motion by Tina Danforth that the committee be provided monthly reports of the expenditures of this project, seconded by Patty Hoeft. Motion carried with two oppositions:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham

Opposed: Vince DelaRosa, Brandon Stevens

For the record: Brandon Stevens stated he opposed because he thinks it is a little tedious, he would rather have a quarterly report.

4. Ground Lessor's Estoppel Certificates, Consent and Agreements for Oak Ridge Plaza West and East with limited waiver of sovereign immunity

Sponsor: Debbie Thundercloud

Excerpt from Sept. 14: Motion by Patty Hoeft to defer both the West and the East Estoppel Certificates to the Friday Sept. 16 joint meeting with the land commission and the Business Committee, seconded by Melinda J. Danforth. Motion carried with one abstention.

Motion by Melinda J. Danforth to approve Ground Lessor's Estoppel Certificates, Consent and Agreements for Oak Ridge Plaza West with limited waiver of sovereign immunity as identified in paragraph 21, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Tina Danforth

Motion by Patty Hoeft to approve the Ground Lessor's Estoppel Certificates, Consent and Agreements for Oak Ridge Plaza East with limited waiver of sovereign immunity as identified in paragraph 21, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

XII. Tabled Business

XIII. New Business/Requests

1. Freeze Oneida Housing Authority (OHA) housing purchases

Sponsor: Ed Delgado

Motion by Vince DelaRosa to schedule a special meeting within the next two weeks, between parties that have been identified; Planning, Oneida Land Commission, Division of Land Management, Oneida Housing Authority, Environmental, Housing Task Force, Law Office and the Business Committee to talk about matters identified today, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Tina Danforth to break for lunch at 12:19 p.m. until 1 p.m. and then the Business Committee will go into Executive Session from 1 p.m. until 3 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Tina Danforth to come out of Executive Session and go into open session at 3:04 p.m., seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Approve Brown County Recycling Agreement Amendment II

Sponsor: Debbie Thundercloud

Motion by Tina Danforth to approve the Brown County Recycling Agreement Amendment II, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Blanket travel approval for Oneida Business Committee members-Liaison duties

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to allow blanket travel approval for Oneida Business Committee members-Liaison duties as identified in a chart that was already adopted and approved, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

4. Revise Voluntary Severance Law to allow Tribe to challenge unemployment claims

Sponsor: Vince DelaRosa

Motion by Melinda J. Danforth to direct the Legislative Operating Committee to look at the Voluntary Severance Law and consider its repeal, seconded by Brandon Stevens.

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Amendment to the motion by Vince DelaRosa to ask the Law Office to prepare a legal correspondence addressing some of the issues and forward that to the Legislative Operating Committee as the Business Committee does their review work, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

5. Increase Oneida Child Care service fees 10 percent each year for next 3 years

Sponsor: Debbie Thundercloud

Motion by Tina Danforth to defer the item regarding Increase Oneida Child Care service fees to 10 percent each year for the next 3 years, to the Oct. 12 BC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Paul Ninham to rescind the previous motion to defer the item regarding Increase Oneida Child Care service fees 10 percent each year for the next 3 years, to the Oct. 12 BC meeting, seconded David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Tina Danforth to approve a 5% increase over the next 3 years and that a plan for other supplement costs be brought back in two weeks for consideration in the FY12 budget, seconded by Paul Ninham. Motion carried with three oppositions:

Ayes: Tina Danforth, Vince DelaRosa, David Jordan, Greg Matson, Paul Ninham

Opposed: Melinda J. Danforth, Patty Hoefft, Brandon Stevens

6. Approve Oneida Gaming Commission attorney contract for William Cornelius, Oct. 1, 2011 to Sept. 30, 2012

Sponsor: David Jordan

Motion by Tina Danforth to approve Oneida Gaming Commission attorney contract for William Cornelius, Oct. 1, 2011 to Sept. 30, 2012, seconded by Brandon Stevens. Motion carried with one opposition:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Opposed: Vince DelaRosa
For the record: Vince DelaRosa stated he wishes that they would consider just actually making a hire instead of a contract like this and that is why he opposed.

7. Cornerstone Patriot Fund LP limited waiver of sovereign immunity

Sponsor: Melinda J. Danforth/Trust Committee

Motion by Tina Danforth to approve the Cornerstone Patriot Fund LP limited waiver of sovereign immunity, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: Melinda J. Danforth

8. Letter of Support Oneida Tribe of Indians of WI to host 2013 National Tribal Child Support Association Conference in Oneida, WI

Sponsor: Debbie Thundercloud/Lisa Schwartz

Motion by Melinda J. Danforth to approve the Letter of Support Oneida Tribe of Indians of WI to host 2013 National Tribal Child Support Association Conference in Oneida, WI, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

9. American Recovery & Reinvestment Act (ARRA) funding quarterly report

Sponsor: Debbie Thundercloud/Cheryl Stevens

Motion by Tina Danforth to accept the American Recovery & Reinvestment Act (ARRA) funding quarterly report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

10. Approve new Oneida Head Start Director

Sponsor: Debbie Thundercloud

Motion by Melinda J. Danforth to approve Joan Christnot as the new Oneida Head Start Director as in compliance under the requirement of the Head Start Act of 2007, which requires this governing body to approve the hiring of that person, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

XIV. Additions

1. Finance Committee Sept. 23 meeting minutes and E-poll

Sponsor: Tina Danforth

Motion by Tina Danforth to approve the Finance Committee meeting minutes and E-poll of Sept. 23, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Travel Request from CFO to Boston, Oct. 19

Sponsor: Larry Barton

Motion by Tina Danforth to approve the travel request from the CFO to Boston, Oct. 19, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Letter of support for the Menominee Tribe

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to delete this item from the agenda, seconded by Brandon Stevens. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, Ninham, Brandon Stevens
Abstained: David Jordan, Greg Matson

4. Appointments to the Anna John Nursing home, Carol Elm, Carol Silva and Dorothy Skenandore

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the recommendation to appointment Carol Elm, Carol Silva and Dorothy Skenandore to the Anna John Nursing home, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

5. Wells Fargo Merchant Agreement amendment and limited waiver of sovereign immunity (moved from Executive Session)

Sponsor: Larry Barton

Motion by Tina Danforth to approve Wells Fargo Merchant Agreement and limited waiver of sovereign immunity, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

XV. Action in open session on items from Executive Session Discussion meeting of Sept. 27, 2011

A. Executive Managers reports

1. New York land claims settlement negotiations update

Sponsor: Bill Gollnick

Motion by Melinda J. Danforth to accept the update, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Gaming General Manager bi-monthly report

Sponsor: Louise Cornelius

Motion by Tina Danforth to accept the Gaming General Manager bi-monthly report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

a. Gaming Expansion proposal

Motion by Tina Danforth to approve the request to present a gaming expansion proposal to GTC at the Nov. 28 FY2012 budget meeting and a GTC information meeting Oct. 18, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

b. Closure of E & EE gaming site

Motion by Tina Danforth to approve the closure of E & EE gaming site, seconded by Patty Hoeft. Motion carried with one opposition and one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, Paul Ninham, Brandon Stevens

Opposed: Greg Matson

Abstained: David Jordan

c. Gaming Expansion proposal

Motion by Patty Hoeft to defer the action on the Oneida Nation gate at Lambeau field to the Oct. 12 BC meeting to get a report from the joint-marketing team on how they want to proceed, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Chief Counsel report

a. Concealed weapon law

Motion by Melinda J. Danforth to forward the concealed weapon law to the Legislative Operating Committee and that a final recommendation be brought back to the Business Committee at the Oct. 26, 2011 BC meeting, noting that the law goes into effect Nov. 1, 2011, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

b. Wisconsin State bill AB95 regarding liquor license permit at Thornberry Creek

Motion by Patty Hoeft to accept the update on the Wisconsin State Bill AB95, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

B. Audit Committee

1. Regular Audit Committee June 30 meeting minutes

Motion by Patty Hoeft to accept the regular Audit Committee June 30 meeting minutes, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Approve and lift the confidentiality requirement from each of the audit reports listed below:

a. May Internal Audit report

Motion by Patty Hoeft to accept the May internal audit report with attachment A, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

b. Bingo Compliance

Motion by Brandon Stevens to lift the confidentiality and to approve the Bingo Compliance Audit, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

c. Land Management Leasing supplement audit

Motion by Melinda J. Danforth to approve the Land Management Leasing supplement audit and lift the confidentiality requirement, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Melinda J. Danforth to direct the Chairman to send a letter to the Land Commission requesting their compliance with the Audit recommendation to develop SOP's relating to the establishing of lease rates and that the SOP be completed by Dec.1, 2011, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham

Abstained: Brandon Stevens

d. Gaming Commission Follow-up

Motion by Brandon Stevens to lift the confidentiality and approve the Gaming Commission Follow-up Audit, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

e. June Internal Audit report

Motion by Patty Hoefft to accept the June Internal Audit report with attachment A, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

f. Oakridge Plaza Leasing

Motion by Brandon Stevens to lift the confidentiality and approve the Oakridge Plaza Leasing Audit, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

g. Gaming Contracts Fiscal Year 2010

Motion by Brandon Stevens to lift the confidentiality and approve the Gaming Contracts Fiscal Year 2010 Audit, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

C. Follow-ups/BC directives

1. Renewal or posting General Manager, Gaming General Manager, Chief of Staff employee contracts/positions

Sponsor: Melinda J. Danforth

Excerpt from Sept. 14: Motion by Patty Hoefft to defer this item to the Sept. 28 agenda to give the Chairman time to carry out any negotiations that are necessary, seconded by David Jordan.

Motion by Tina Danforth to approve the resolution Rescinding Resolution #BC-8-2-00-B, seconded by Vince DelaRosa. Motion carried with three abstentions:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Paul Ninham,
Abstained: Greg Matson, Brandon Stevens, Melinda J. Danforth

Motion by Tina Danforth to approve the resolution Interim Removal of the position of General Manager and Permanent Removal of the position of Assistant General Manager, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham
Abstained: Brandon Stevens

Motion by Patty Hoefft that the effective date for the Assistant General Manager position concurrent with the expiration of the General Manager's contract, seconded by Tina Danforth. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoefft, David Jordan, Greg Matson, Paul Ninham
Abstained: Brandon Stevens

Motion by Melinda J. Danforth to approve the six-month extension to the Gaming General Manager contract, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Motion by Patty Hoeft to extend the Chief of Staff contract for 30 days, seconded Melinda J. Danforth. Motion carried with three abstentions and one opposition:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Abstained: Tina Danforth, Greg Matson, Brandon Stevens
Opposed: Paul Ninham
For the record: Paul Ninham stated for the record that he thinks we need more than 30 days and that is the reason he is opposing the action.

D. New Business/Requests

1. Tenuta & Associates state lobbyist contract Oct. 1, 2011 to Sept. 30, 2012

Sponsor: Bill Gollnick

Motion by Melinda J. Danforth to approve Tenuta & Associates state lobbyist contract Oct. 1, 2011 to Sept. 30, 2012, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

2. Federal lobbyist status

Sponsor: Bill Gollnick

Motion by Melinda J. Danforth to accept the proposed concepts surrounding the revamp of the Federal lobbyist and request that the Legislative Affairs Director bring back a final proposal at the Oct. 26, 2011 BC meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

New credit facility (Back up information will be provided at meeting)

Sponsor: Larry Barton

Motion by Tina Danforth to approve the CFO update on a new credit facility, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

3. Oneida Personnel Commission attorney contract for Gerald L. Hill-Esq. Oct. 1, 2011 to Sept. 30, 2012

Sponsor: Bill Gollnick/Sue Daniels

Motion by Melinda J. Danforth to approve Oneida Personnel Commission attorney contract for Gerald L. Hill-Esq. Oct. 1, 2011 to Sept. 30, 2012, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

4. Oneida Health Center Medical Director contract status

Sponsor: Debbie Thundercloud

Motion by Brandon Stevens to approve Oneida Health Center Medical Director contract status, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

5. Targeted land acquisition recommendation

Sponsor: Ed Delgado/Amelia Cornelius

Motion by Melinda J. Danforth to approve the land purchase with the allocation dollars coming from the land acquisition budget of FY2012, as recommended by the Land Commission, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

E. Oneida Corporate Board Financial Quarterly Reports

1. Oneida Airport Hotel Corporation 3rd Quarter Financials

Sponsor: Lance Broberg

Motion by David Jordan to accept the Oneida Airport Hotel Corporation 3rd Quarter Financials report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

2. Oneida Golf Enterprise 3rd Quarter Financials

Sponsor: Lance Brober

Motion by David Jordan to accept the Oneida Golf Enterprise 3rd Quarter Financials report, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

3. Oneida Seven Generations 3rd Quarter Financials

Sponsor: William Cornelius/Kevin Cornelius

Motion by Greg Matson to approve Oneida Seven Generations 3rd Quarter Financials report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

4. Access to financials of Corporate Boards

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to accept request as FYI, seconded by Patty Hoeft. Motion carried unanimously:

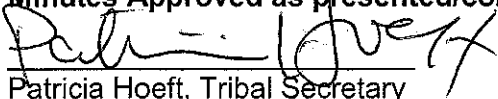
Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

XVI. Adjourn

Motion by Patty Hoeft to adjourn at 4:40 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Excused: Tina Danforth

Minutes Approved as presented/corrected on Oct 12, 2011.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE