



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Dec. 14, 2011
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

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

Others present: Dorothy J. Skenandore, Lois Strong, Janice Jourdan, Mary Ann Hill, Carolyn Hill, Tim Ninham, Grace Koehler, Warren L. Reiter, Jason Anatole, Mel Webster, Nicole Hrabik, Michelle M. Braaten, Sandra Gauthier, Marlene Summers, Shirley Barber, Carol Silva, Lisa A. Moore, RC Metoxen, Dale P. Wheelock, Pat Pelky, Brenda Cornelius, Jim VanStippen, Michele Doxtator, Dianne McLester-Heim, Ronald McLester, Ronald McLester Jr., Fern Orié, Kris Hill, Marsha Danforth, Debbie Danforth, Elaine Reed-Doxtator, Chad Wilson, James Elm, Joanie Buckley, Fred Muscavitch, Wes Martin

25 + Years of Employment

Jack R. Mehojah, Roger A. Yealey, Victoria L. Johnson, Jacalyn Danforth, Clifford E. Webster, Dale J. Metoxen, Christopher G. Powless, Brenda L. Cornelius, Mary Ann Hill, Karen J. Melchert, Stephanie Skenandore, Terry J. Metoxen, Allen K. Michaelson

Special presentation

Oneida Business Committee will present a check to the American Diabetes Association
Presented to Ann Wells by Vice Chairman Greg Matson

- I. **Call to Order and Roll Call** by Chairman Delgado at 9:15 a.m.
- II. **Opening**
- III. **Approve the agenda**

Motion by Paul Ninham to approve the agenda with three additions 1) Inclement weather decisions 2) Pilot tax agreements and in executive session the addition of 1) LUTU process and then to go into Executive session to complete discussion about the Legislative Affairs director position, seconded by Vince DelaRosa. Motion carried unanimously:

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

IV. Oaths of Office

1. **Carol Silva, Anna John Nursing Home**
2. **Debra Danforth, pending BC approval of her appointment to fill remainder of term on Trust/Enrollment Committee**

V. Minutes to be approved

1. Nov. 9 regular Business Committee minutes

Motion by Tina Danforth to approve the Nov. 9 regular Business Committee minutes, 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

VI. Resolutions

1. Approve Housing and Urban Development (HUD) to apply for Indian Community Development Block Grant

Sponsor: Dale Wheelock

Motion by Tina Danforth to approve the Uskah Village Infrastructure Project resolution with the amendment to the last whereas to strikeout words former Smits Farm and replace with either an identifiable land parcel number or street address, 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. Office of Special Trustee – Sign Off Authority

Sponsor: Melinda J. Danforth/Susan White

Motion by Melinda J. Danforth to adopt the Office of Special Trustee – Sign off Authority resolution, with one amendment in the fourth whereas to spell out the OTFM acronym, 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. CY 2012 County Tribal Law Enforcement Grant – Brown County State of Wisconsin/Department of Justice

Sponsor: Joanie Buckley/Cheryl Stevens

Motion by Vince DelaRosa to approve the CY 2012 County Tribal Law Enforcement Grant – Brown County State of Wisconsin/Department of Justice resolution, 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

4. CY 2012 County Tribal Law Enforcement Grant – Outagamie County State of Wisconsin/Department of Justice

Sponsor: Joanie Buckley/Cheryl Stevens

Motion by Paul Ninham to adopt the CY 2012 County Tribal Law Enforcement Grant – Outagamie County State of Wisconsin/Department of Justice resolution, 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

VII. Board, Committee and Commission quarterly reports

1. Oneida Airport Hotel Corporation Board

Sponsor: Lance Broberg

Motion by Vince DelaRosa to approve the Oneida Airport Hotel Corporation Board 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

Motion by Vince DelaRosa to have Lance Broberg prepare a detailed report regarding the Radisson hotel; specifically the report should address measures and business considerations which we may consider as a tribe to re-tool the Radisson's operations to make it more profitable and to improve the experience that our guest have there and to have a report back in two weeks, 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

2. Oneida Total Integrated Enterprises

Sponsor: Butch Rentmeester

Motion by David Jordan to accept the Oneida Total Integrated Enterprises quarterly report, 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. Bay Bank Corporation

Sponsor: John Johnson

Motion by David Jordan to accept the Bay Bank Corporation quarterly report, 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 Tina Danforth that the Oneida Business Committee meet with the bank board of directors to discuss some of the financial information that was provided yesterday so that we all have a clear understanding of the status of the financials and what their plans are to address them going forward and for the meeting to be done in the next 30 days, seconded by Greg Matson. Motion carried with one abstention.

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

Abstained: Brandon Stevens

For the record: Tina Danforth stated given that we're going to allow the president to leave and not be here for the financial approval of the bank status, I just want to note that in the financial report, that there is no financial information or detail provided on the small business loan program. There is a narrative that is very general; it says that as of this date, which is in 11 years, there's been \$9.3 million in new loans. That's a pretty generic statement, so I would like that they provide detailed financial information on the small business loan program for the Business Committee in executive session. I don't want specific information; I want consolidated information because we do have to also attempt to the proprietariness of the individual loans. I understand the difference between the two and I would assume that you do as well.

4. Oneida Golf Enterprise Corporation

Sponsor: Bobbi Webster

Motion by Vince DelaRosa to approve the Oneida Golf Enterprise Corporation quarterly 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

Motion by Vince DelaRosa to have the Oneida Golf Enterprise Board prepare a detailed report regarding Thornberry Golf Course; specifically the report should address measures and business considerations which we may consider as a tribe to re-tool the golf operations to make it more profitable and to improve the experience that our guests have there and this report should have an analysis of what the anticipated break-even analysis point will be for the operations and that the report be brought back in two weeks, 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

5. Oneida Seven Generations Corporation

Sponsor: Kevin Cornelius

Motion by David Jordan to approve the Oneida Seven Generations Corporation quarterly report, seconded by Brandon Stevens. Motion carried unanimously:

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

Excused: Patty Hoeft

6. Oneida Nation Commission on Aging

Sponsor: Dellora R. Cornelius

Motion by David Jordan to approve the Oneida Nation Commission on Aging 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

7. Oneida Child Protective Board

Sponsor: Jeanette Ninham

Motion by David Jordan to accept the Oneida Child Protective Board quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Tina Danforth, Paul Ninham

8. Anna John Nursing Home Commission-Deleted

Sponsor: Carol Elm

Motion by Patty Hoeft to delete the Anna John Nursing Home Commission quarterly report, seconded by David Jordan. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Tina Danforth, Paul Ninham

VIII. Standing Committees

A. Legislative Operating Committee - Council member Melinda J. Danforth, LOC Chair

1. Hunting, Fishing and Trapping Law Amendments

Motion by Patty Hoeft to adopt the hunting fishing and trapping law amendments, seconded by Vince DelaRosa.

Motion carried unanimously:

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

Excused: Melinda J. Danforth, Paul Ninham

B. Finance Committee - Treasurer Tina Danforth, Finance Chair

1. Approve two capital expenditures: Aristocrat slot game purchase \$474,344 and WMS slot games purchase \$487,956.11

Sponsor: Larry Barton

Motion by Patty Hoeft to approve both purchases, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Paul Ninham

C. Community Development Planning Committee (CDPC) - Council member Vince DelaRosa, Chair

1. July 12, 2011 meeting minutes

Motion by Patty Hoeft to approve the July 12, 2011 meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Paul Ninham

2. Nov. 7, 2011 meeting minutes

Motion by Patty Hoeft to accept the Nov. 7, 2011 meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Paul Ninham

3. Review preliminary community planning project

Motion by Patty Hoeft to accept as FYI, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Melinda J. Danforth

D. Quality of Life

1. Approve Quality of Life standing committee appointments of Paul Ninham, Chairman, Patty Hoeft, Vice Chairwoman, and members Ed Delgado, David Jordan and Melinda J. Danforth

Sponsor: Paul Ninham

Motion by Vince DelaRosa to approve the Quality of Life standing committee appointments, seconded by Paul Ninham. Motion carried unanimously:

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

IX. Travel

A. Travel reports

1. **Federal/State Indian Policy Briefing Workshop Oct. 30-31, 2011, Madison, WI**

Sponsor: Vince DelaRosa

Motion by Paul Ninham to approve the travel report, seconded by David Jordan. Motion carried unanimously:

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

2. **Meeting with State Lobbyist Jim Tenuta Nov. 14-15, 2011, Madison, WI**

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to approve the travel report, seconded by Paul Ninham. Motion carried unanimously:

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

3. **Chicago organizational structure update and briefing, Nov. 18-19, 2011, Chicago, IL**

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to approve the travel report, seconded by David Jordan. Motion carried unanimously:

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

B. Travel requests

1. **Ratify travel e-poll State/Tribal Consultation session, Nov. 15-16, 2011, St. Croix, WI**

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve the travel request, seconded by Vince DelaRosa. Motion carried unanimously:

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

2. **White House holiday reception, Dec. 15, 2011, Washington, D.C.**

Sponsor: Ed Delgado, Patty Hoeft, Brandon Stevens

Motion by Vince DelaRosa to approve the travel request, 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

3. Emerging Leaders: Rebuilding Native Nations, March 20-21, 2012, Tucson, AZ

Sponsor: Ed Delgado, Patty Hoeft

Motion by David Jordan to approve the travel request, 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. Ratify travel e-poll White House Tribal Nations Leaders events, Nov. 30, 2011, Washington, D.C.

Sponsor: Tina Danforth

Motion by Paul Ninham to approve the travel request, 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

X. General Tribal Council

1. Petitioner Madelyn Genskow: Withdraw petition submitted Oct. 13, 2011

Sponsor: Patty Hoeft

Motion by Melinda J. Danforth to accept the withdrawal notice for the petition of Madelyn Genskow regarding the appeals commission, 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. Petitioner Yvonne Metivier: To determine if an Appeals Commissioner violated the Judicial code and dismiss court costs of \$2,300

Sponsor: Patty Hoeft

Motion by Patty Hoeft to acknowledge the receipt of the petition and send it to the law office for a legal policy analysis and bring it back to the business committee in 30 days so that a date can be determined, seconded by Paul Ninham.

3. Agenda for Annual GTC meeting 10 a.m. Monday, Jan. 2, 2012 at Radisson Hotel and Conference Center, Oneida, WI

Sponsor: Patty Hoeft

Motion by Brandon Stevens to accept the agenda for the Annual GTC meeting 10 a.m. Monday, Jan. 2, 2012 at Radisson Hotel and Conference Center as FYI, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

XI. Follow-ups/BC directives

1. Create action plan and strategy for organizational, policy and budget reform

Sponsor: Greg Matson

Excerpt from Nov. 9: Motion by Tina Danforth to table this resolution for 30 days, seconded by Vince DelaRosa. Motion carried with four oppositions and Chairman Delgado breaking the tie.

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. Internal Services Division, Joanie Buckley, division director

- a. Desktop Support Specialist Trainee, MIS Department**
- b. Full-time Desktop Support Specialist I, MIS Department**
- c. Client Server Computer Programmer, MIS Department**

Excerpt from Oct. 26: Motion by Tina Danforth to allow for a transfer for Tribal member only posting for the three positions and that a report be brought back in thirty days as a status of the hiring process; relative to those considerations, seconded by Melinda J. Danforth. Motion carried with a vote from Chairman Delgado breaking the tie.

Motion by Tina Danforth to accept the update as FYI, 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

Motion by Tina Danforth to recess until 1 p.m., seconded by David Jordan. Motion carried with one opposition:

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

Opposed: Brandon Stevens

Motion by Tina Danforth to go back into session at 1:06 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

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

XII. Tabled Business

XIII. New Business/Requests

1. Approval of procedural exception to forgo Phase II of the CIP process of routing the CIP package to the various review entities

Sponsor: Butch Rentmeester

- a. Approval of the CIP package and CIP project #11-008 Jonas Circle Area Sewer System**
- b. Approval of CIP Package – Appendix A for project #11-008 Jonas Circle Areas Sewer System**
- c. Activation of the approved FY2011 CIP budget for CIP #11-008 Jonas Circle Area Sewer**
- d. Approval to transfer \$8,850.75 from CIP project #06-009 to CIP project #11-008**

Motion by Vince DelaRosa to approve items 1 a-d, with a procedural exception for the phase II elimination and to include Larry Barton's note*, seconded by Tina Danforth.

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

For the record: Tina Danforth stated that in the discussion there was consideration for additional staff as needed, as we continue increase the service area.

*Note from Larry Barton-Just lend some insight, I know that it's requested to move money within the bond proceeds, we cannot as a practical matter, execute that unless it's a very similar project. It's very complicated to move, for example; money from Ridgeview over to this project. so I would only ask, because of the importance of timeliness that we do proceed, but allow for us to build this into 2013's budget, any proceeds after the \$1.28 million we would find in 2013. We do need to move forward, get the engineering going; it's presumptuous to note that we'll have an improved budget. Hopefully by August of 2012 for 2013, but we do need to move forward to get these bond funds spent down and as a practical matter, I know there's failing systems over there. So we do need to go forward but I would only abade that we find anything past the \$1.28 in 2013's budget.

e. Activation and transfer of \$100,000 from CIP Project [#10-010 Community

2. Host one Great Lakes Native American Elder Association quarterly meeting during the 2012 calendar year

Sponsor: Ed Delgado

Motion by Tina Danforth for elderly services to bring back a preliminary budget in one month to host the Dec. 2012 Great Lakes Native American Elder Association quarterly meeting and that this be budgeted for in the FY2013 budget, seconded by Patty Hoeft. Motion carried unanimously:

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

Excused: Melinda J. Danforth

3. Retro-approve letter to Brown County Executive for transfer of Service Road

Sponsor: Ed Delgado

Motion by Tina to retro-approve the letter for the Brown County Executive, which is a request for transfer of Service Road, seconded by Patty Hoeft. Motion carried unanimously:

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

Excused: Melinda J. Danforth, Brandon Stevens

4. Appoint Land Management division director as lead for service agreement initiatives

Sponsor: Ed Delgado

Motion by Vince DelaRosa to have Dr. Fred Muscavitch handle the discussions around our service agreement with the Town of Oneida, seconded by Patty Hoeft. Motion passed with two abstentions:

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

Abstained: Melinda J. Danforth, Brandon Stevens

5. Appoint Debra Danforth for vacant member position with the Trust Committee

Sponsor: Melinda J. Danforth

Motion by David Jordan to approve the appointment of Debra Danforth to the Trust Committee, 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

6. American Recovery and Reinvestment Act (ARRA) grants report

Sponsor: Joanie Buckley/Cheryl Stevens

Motion by Melinda J. Danforth to accept the American Recovery and Reinvestment Act (ARRA) grants 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

7. Accept report as information on Oneida School Board's new standard procedure to exempt contracted school employees from the Blue Book personnel policies dealing with probationary periods

Sponsor: Greg Matson/Susan White, Oneida Nation School Board chairwoman

Motion by Brandon Stevens to accept the school board's decision for the exception of the probationary period for their contracted school employees as FYI, second by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

For the record: Tina Danforth stated I am abstaining because I think this is a procedure irregularity.

For the record: Brandon Stevens stated this is not an industry standard, that the schools do not typically have a 90 day probationary period or probationary wage and that is an irregularity in itself.

8. Request to cancel Dec. 28 regular Business Committee meeting

Sponsor: Patty Hoeft

Motion by Patty Hoeft to cancel the Dec. 28 regular Business Committee 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

XIV. Additions

1. Review procedure to close Tribal workplace due to inclement weather

Sponsor: Ed Delgado

Motion by Patty Hoeft to use the standard operating procedure distributed today and replace GM with the Chairman and/or Vice-Chairman and use this process until we can further consider it in late January, 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

2. Pilot tax agreements for Oneida Housing Authority

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to support the position that Oneida Housing Authority shall no longer pursue the acquisition of taxable housing stock and that we re-direct that any future acquisition dollars, which may be targeted towards housing acquisition, be used exclusively to build new housing stock on non-taxable trust lands as a first priority on the Oneida Reservation, seconded by Tina Danforth. Motion withdrawn.

Motion by Melinda J. Danforth that the Business Committee directs that any future acquisition dollars (specific to Oneida Housing Authority), which may be targeted towards housing acquisition, be used exclusively to build new Housing stock on non-taxable trust lands as a first priority on the Oneida Reservation, 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

XV. Action in open session on items from Executive Session Discussion meeting of Dec. 13, 2011

A. Executive Managers reports

1. Chief Counsel report – Jo Anne House

a. Review 1993, 1995 & 1998 funding agreements for Onyota”a:ka of Thames land claims work

Excerpt from Nov. 9: Motion by Vince DelaRosa to defer, seconded by David Jordan. Motion carried unanimously.

Motion by Brandon Stevens to accept the Chief Counsel report, seconded by Vince DelaRosa.

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

b. Provide policy direction on resolving the Hobart Well Operation Permits issue

Sponsor: Jo Anne House

Motion by Patty Hoeft to direct the Chairman, Tribal Secretary Patty Hoeft and Councilman Stevens to work with the law office to provide a recommendation to the committee on how to deal with this issue, 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

c. New York land claim update

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to accept the verbal update provided by the Chairman, 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. Audit Committee – Councilman Brandon Stevens, Chairman

1. Request Oneida Golf Enterprise Board response to audit findings

Excerpt from Nov. 9: Motion by Brandon Stevens the OBC in response to the preliminary ethics findings within the Oneida Golf Enterprise investigation will provide within 30 days, a response which will include standard operating procedures which will provide restrictions and guidelines regarding gifts and free benefits offered to Oneida Golf Enterprise Board members and Oneida Business Committee members, to comply with the Oneida Ethics Law, seconded by Paul Ninham. Motion carried with one opposition and two abstentions.

Motion by Patty Hoeft to accept the report from the audit committee, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Tina Danforth

2. Oct. 28, 2011 regular meeting minutes

Motion by Paul Ninham to approve the Oct. 28, 2011 regular meeting minutes, 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

3. Nov. 3, 2011 special meeting minutes

Motion by Paul Ninham to approve the Nov. 3, 2011 special meeting minutes, 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

4. Internal Audit October report

Motion by David Jordan to accept the Internal Audit October report, 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 have the audit committee chairperson work with the legislative operating committee to review the legislative priorities that internal audit has identified within the report, 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

5. Approve Player Tracking audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by David Jordan to approve the Player Tracking audit and to lift the confidentiality, 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

6. Approve Drop Count audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by Brandon Stevens to lift the confidentiality and approve the Drop Count audit, 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

7. Approve Craps audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by Melinda J. Danforth to approve the Craps audit and to lift the confidentiality and to note that they came in with 100% compliance, 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

8. Approve Surveillance audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by Melinda J. Danforth to defer to the next BC meeting and request the Tribal Chairman to send a note to the gaming general manager regarding the issue we discussed yesterday, 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

Excused: Greg Matson

9. Approve Table Games audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by Brandon Stevens to approve Table Games audit and to lift the confidentiality, 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

Excused: Greg Matson

10. Request special executive session Business Committee meeting Dec. 20, 2011 for McGladrey and Pullen year-end financial audit report presentation

Sponsor: Brandon Stevens/Donna Christensen

Motion by Paul Ninham to approve the request, seconded by Melinda J. Danforth. Motion withdrawn.

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

C. Corporate Board financial reports

1. Oneida Airport Hotel Corporation

Sponsor: Lance Broberg

Motion by Brandon Stevens to approve the Oneida Airport Hotel Corporation financial report, Paul Ninham.

Motion carried unanimously:

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

Excused: Greg Matson

2. Oneida Total Integrated Enterprises

Sponsor: Butch Rentmeester

Motion by Melinda J. Danforth to approve the Oneida Total Integrated Enterprises financial 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

Excused: Greg Matson

3. Bay Bank Corporation

Sponsor: John Johnson

Motion by Brandon to accept the Bay Bank financial report, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: Melinda J. Danforth
Excused: Greg Matson
For the record: Tina stated she needs to remind the committee that we need to meet with them timely regarding their financial situation. That motion was made earlier on the agenda.

4. Oneida Golf Enterprise Corporation

Sponsor: Bobbi Webster

Motion by Paul Ninham to approve the Oneida Golf Enterprise Corporation financial report, 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
Excused: Vince DelaRosa

5. Oneida Seven Generations Corporation-not submitted

Motion by Melinda J. Danforth to defer the Oneida Seven Generations Corporation financial report to the next 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
Excused: Vince DelaRosa

D. Follow-ups/BC directives

1. Review Management's monthly incentive pay policy for any afterhours building security calls to Oneida Health Center

Sponsor: Ed Delgado

Excerpt from Nov. 9: Motion by Paul Ninham to defer this item for two weeks, seconded by Vince DelaRosa. Motion carried unanimously.

Motion by Tina Danforth to deny the monthly incentive pay policy for any afterhours building security calls to the Oneida Health Center, seconded by Vince DelaRosa. Motion failed.

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

Motion by Vince DelaRosa to direct the Tribal Secretary to schedule a meeting to review policies dealing with on call and compensation for that activity, 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

E. New Business/Requests

1. 71 new enrollments

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to approve the 71 new enrollments, seconded by Tina Danforth. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: Melinda J. Danforth
For the record: Melinda J. Danforth stated she is abstaining because of conflict of interest.

2. Personnel matter regarding exception for LTE position in Vocational Rehabilitation

Sponsor: Don White, Governmental Services Division director

Motion by Tina Danforth to approve the LTE position for vocational rehab request, seconded by Patty Hoeft. Motion carried with one abstention and one opposition:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: David Jordan
Opposed: Melinda J. Danforth
For the record: Vince DelaRosa stated he supports because it's been informed to us that this is the approach that the division director and the area manager would like to take at this time. There is an understanding that there are 30+ people who are in need of services, who are tribal members, that if we went another route it might take upwards of four or five months potentially at a minimum going through the hiring process. So I support the division director and area manager at this point and time to pursue this avenue, but we also understand that moving forward we do have to clean up our human resource policies and that's my understanding that we're going to be doing that-hopefully within the next year. That's why I support the motion.
For the record: Melinda J. Danforth stated I don't support the fact that a precedence has been set, where by a procedural exception was given to allow LTE to gain fulltime employment without the position being posted to our tribal membership. However, I do recognize the fact that services to our tribal membership would be interrupted and affected if the exception was not made. So therefor put us in a rock and a hard place and I understand the council's position on it.

3. Rescind action to relocate Legislative Affairs Director to Washington, D.C.

Sponsor: Ed Delgado

Motion to by David Jordan to rescind the legislative affairs position that was going out to Washington, D.C., 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

4. Re-designate Hobart Strategy Team

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to confirm the formation of a Hobart strategy team and designate the Vice Chair and attorney Becky Webster as the leads for this team, 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 direct the leads to identify appropriate support staff and notice them of the required technical support and that the team present an outline of their next steps at the first BC meeting in

January, 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

Motion by Melinda J. Danforth to direct that appropriate verbal or written updates are provided to the business committee on a regular basis as a standing meeting agenda item for the business committee meetings, 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

F. Additions

1. Review the LUTU process

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa that the business committee support that the division directors who are associated with the LTU process, come back with written recommendation on how to create efficiencies in that process and that we review that and be sent over to the LOC, for any amendments to the law, within 30 days, 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

XVI. Adjourn

Motion by Tina Danforth to go into executive session at 2:45 p.m., 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 come out executive session at 2:56 p.m., 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 David Jordan to adjourn at 2:59 p.m., 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

Minutes Approved as presented/corrected on Jan. 11, 2012.



Patricia Hoeft, Tribal Secretary

ONEIDA BUSINESS COMMITTEE