

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

Oneida Tribe of Indians of Wisconsin

Phone: 869-2771



Oneida, WI 54155



UGWA DEMOLUH 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.

Approved as corrected on 5-2-83 Regular Mtg.

SPECIAL MEETING

APRIL 27, 1983

Meeting called to order at 9:00 A.M.

Present Purcell Powless, Kathy Hughes, Gordon McLester Lloyd Powless, Lois Powless.

Excused: Mark Powless, Norbert Hill, Loretta Metoxen Tony Benson

Others: Francis Skenandore Bruce King, Tony Utschig, Bob Christjohn

FINANCE & APPROPRIATION RECOMMENDATIONS (MEMO OF APRIL 26, 1983)

Lois made a motion to approve the purchase of the Triers popcorn machine for \$4,131.00. The monies to come from Bingo revenues. Gordon seconded Motion carried.

LAND COMMITTEE REQUEST

The Land Committee requested two (2) members to travel to Albuquerque to attend the Tribal Realty Workshop. Kathy made a motion to deny the request. Gordon opposed. Motion carried.

Lloyd made a motion to approve Chris Doxtator, Jerry Hill, and one 1) Land Committee member to make the trip to Albuquerque for the workshop. Kathy seconded. Motion carried.

TRAVEL REQUEST TO HASKELL BOARD OF REGENTS MEETING

Loretta felt it was critical that someone from the Tribe attend this meeting. The meeting is scheduled for May 12 and the graduation ceremonies on May 13, 1983. The Chairman stated that he would be able to attend. Gordon made a motion to send the Chairman. Kathy seconded. Motion carried.

FORMER BINGO STORAGE ROOM

Gordon made a motion to have the Maintenance Dept. prepare the former Bingo Room for office space for Bob Christjohn and Wanda Webster. Kathy seconded. Motion carried.

AIRFARE REFUND - REPUBLIC AIRLINES

Mary Ellen Hayes & Joanne Thundercloud received a voucher for a free trip when Republic Airlines offered this promotion in February and March. The voucher must be used before June of 1983. Mary Ellen does not intend on having any program related travel before this deadline, therefore, she would like to know if she could have this voucher returned to her for her personal use and pay the program \$50.00 for its value.

Lloyd moved to approve this request. Kathy seconded. Motion carried

SIX NATIONS - FRANCIS SKENANDORE

A packet of material has been prepared on the New York Court case. See attachment to the minutes. (April 27, 1983 Wisconsin Oneida New York Land Claims) Lloyd made a motion to send the information to all Tribal members concerning the New York Land Claims. Gordon seconded. Motion carried.

COUNTER OFFER - SACRED HEART CENTER

The Green Bay Catholic Diocese offered the Sacred Heart Center improvements located at Oneida, Wisconsin to the Oneida Tribe of Indians of Wisconsin for a price of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00)

The Oneida Tribe of Indians of Wisconsin propose the following counter-offer

Total price of Eight Hundred Thousand (\$800,000.00) dollars for the Sacred Heart Center improvements.

- 2 Down payment of Two Hundred Thousand dollars. (\$200,000.00)
- 3 Balance of Six Hundred Thousand Dollars (\$600,000.00) to be paid in equal installments over five (5) years.
4. Joint use of the facility during the five (5) years transition period.
- 5 Shared cost of maintenance during the five 5 year transition period

Lloyd made a motion to authorize Francis to make a counter-offer listing the above points. Lois seconded. Motion carried.

AUGUST WINTER & SON

August Winter & Son originally demanded approximately \$1,700.00 from the Tribe for Sales Tax the State of Wisconsin held Winter & Sons liable for because the materials used on the Project were not delivered to the Project site, but delivered to Winter's place and then brought to the site. We have in the past held the position that no payment to Winter & Sons should be made for the following reasons:

1. August Winter & Sons were directed to have all materials delivered to the Nursing Home Site to avoid state sales tax.
2. August Winter & Sons had the materials delivered to their premise and then

delivered and incorporated into the construction of the Nursing Home

3. The Oneida Tribe should not be liable for the negligence of August Winter & Sons in this matter.
4. The Oneida Tribe is not responsible nor liable for the payment of state sales taxes.

Francis recommended to offer minimum amount to Winter & Sons only upon the condition that Winter & Sons withdraw their claim and have it dismissed with prejudice. Gordon moved to approve the recommendation and that the offer not exceed \$400.00. Kathy seconded. Lois opposed. Motion carried.

RAILROAD CLAIM UPDATE

The 25 U.S.C. sec. 177 is controlling in the Oneida railroad case. The Green Bay, Winona and St. Paul Railroad Company, and the Green Bay & Western Company were required under section 177 to acquire a right-of-way "by treaty or convention entered into pursuant to the Constitution". Failing to comply with section 177 puts the Green Bay & Western in the status of a trespassor, and therefore, the Oneida Tribe of Indians of Wisconsin have a right to quiet title and to sue for trespass damages.

We shall continue to research and put together a case on the Green Bay & Western Railroad claim for submission to the Bureau of Indian Affairs to be an addition to the list published by the Secretary of the Interior to meet the criteria spelled out for an additional claim as follows:

1. A statement identifying the nature of the claim.
2. The date when the right of action accrued.

The names of potential plaintiffs and defendants, if known

- 4 Any other information needed to identify and evaluate the claim.

Lloyd made a motion to direct Francis to hire a consultant to work on the 2415 Claims. Kathy seconded. Motion carried.

Lois made a motion to have Vera Wilson work with the consultant under Francis Skenandore's direction on the 2415 claims. Lloyd seconded. Motion carried.

MAINTENANCE DISCUSSION

Bob Christjohn gave the Business Committee the draft for review. Bob will get more data and will schedule another meeting with the Business Committee.

12:00 Gordon made a motion to recess. Lois seconded. Motion carried

1:30 P.M. Meeting reconvened

SELF-FUNDED INSURANCE

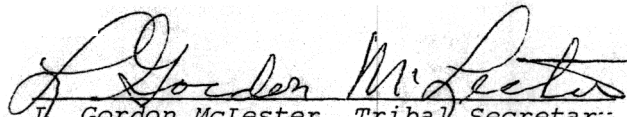
Bob Christjohn gave the report he has been working on for the Self-funded insurance and asked if he should continue on the development of this kind of insurance. The Business Committee reviewed the report and directed Bob to continue and to bring back the report for another update.

HOTEL DEVELOPMENT AT THE AIRPORT SITE

Bruce King brought a group of people from Minnesota to discuss the possibility of a Hotel & Motel at the Airport site. They gave the Business Committee their background and projections that they felt could be done at the airport site. Another meeting will be set next week for discussion.

4:30 P.M. Lois made a motion to recess. Kathy seconded. Motion carried

Respectfully submitted,


W. Gordon McLester, Tribal Secretary