



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

# Oneida Tribe of Indians of Wisconsin



UGWA DEHOLUH YATENE  
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.

Phone: 869-2771



Oneida, WI 54155

*Approved as read 11-7-83*

-SPECIAL MEETING-

FRIDAY, OCTOBER 28, 1983

Rick Hill opened the meeting with a prayer at 9:00 A.M.

resent: Purcell Powless, Rick Hill, Kathy Hughes, Lloyd E. Powless, Jr., Lois Powless, Mark Powless, Tony Benson, Loretta Metoxen.

Excused: Gordon McLester, Lois Powless excused for Dr. appointment until 9:30 A.M.

Others: Mark Hooper, Washington; Lynn Horsens, Doris Yelk-Wilberg; John Gessell, Tony Utschig, Jerry Hill, Bruce King

INDIRECT COST REVIEW

Mark Hooper, from the Washington Office of the Inspector General reported on the Indirect Cost audit. This was the exit conference. Discussion on the net effect was to increase the pool and decrease the base which reduced the proposal recovery from \$45,000 to about \$20,000 for 1982. Adjustments for 1983-84 discussed were Tribal government. OESCL0 does not address government expenses but have been allowing 50% Tribal Government expenses in the pool. Discussion on elected officials salaries. Secretary is to write an explanation and verification of the Business Committee salaries which had been set by General Tribal Council, how they were set and approved.

Advertising - \$3,000 was cut from this amount. Planning Function: Problem with this item. In order for cost to be allowed in the pool it must be (1) allowable, (2) Something that all programs will benefit from and (3) must be related to existing programs. He felt that planning was related to the future more than to existing programs. Discussion on not taking this out as it was felt the this applies to most programs at all times. Possibility of putting the Business Manager position in and taking planner out. Enterprises: Nursing Home can exist on its own without indirect cost so they are not included. Enterprises will be included in the base. Courier service: Proposing to reduce this from \$6,000 to \$4,000. Discussion on this item. Tribal Newspaper: Determined that 75% of the paper was related to the programs. We can plan on a rate based on salaries and wages between 26-30%. If we go total direct cost instead the rate would be between 12-13%. Recommends going with salaries and wages. We will be getting a letter and report. When we get the report we can negotiate with them if we do not agree.

Minor items needed to be mentioned:

Space Costs - If there are any major changes for 84 they will need a space cost allocation plan for 85, if any drastic changes.

Telephone expenses - segregating calls relating to elected officials vs. other programs. As government costs are not allowed it is important to separate any costs related to government from administration. Different ways to separate calls discussed. One suggestion is to keep a telephone log and get an average percentage of calls.

Travel - Tribe should enforce authorization of travel or travel controls.

CPA Audit report - major audit deficiencies have been acted on since report was issued. He requested a copy of this.

Advances - On SF 1034A - Discussion on process. Committee explained process and reason for any advances.

He stated that these accounting system problems were nothing to effect anything major. He feels that if these controls are enforced there should not be any problems with these.

#### ENROLLMENT OFFICE MEMO OF 10/25/83

Discussion on the memo regarding the five points to consider. Tony Utschig responded that basically he agrees with this. In regard to item 4 Tony felt that there was not a reprimand unless not getting the rate by October 1, was understood as one. Tony responded in his memo that Administration was of the understanding that because these positions were not responsible to administration that administration would not be responsible for initiating an upgrade. The revised budget and narratives were received by his office on August 23, 1983 and he concurs that these upgrades should be effective on October 1, 1983. Action has been taken on this.

#### LAW OFFICE

Budget Modification, and attorney position. The action already taken was that the Committee approved the budget for the Law Department with the understanding it would be directed by Jerry Hill and Mary Lemieux would be the legal secretary. Mary was recalled from lay off. Jerry's contract ended October 14, 1983 and the Department was authorized for the 1st of October. Jerry would start his tribal employment on expiration of contract. However, due to new personnel policies and procedures formed action has to be referred from the Personnel Department. Loretta moved that we refer the Law Department personnel matters back to Personnel for correct procedure. Rick Hill seconded. Mark opposed. Lois abstained. Motion Carried.

Kathy moved to approve the budget modification. Rick Hill seconded. Motion Carried. Tony Benson opposed.

Kathy moved to authorize Jerry Hill to enter into a contractual agreement with Powless and Associates for the Law Department. Loretta seconded. Tony opposed. Mark and Lois abstained. Motion Carried.

In regard to the budget increase. Discussion. Lois moved to defer this request for 90 days for Jerry to review. Lloyd seconded. Mark and Tony opposed. Motion Carried.

In regard to the request of Kathy Hughes in a memo of October 27, 1983 regarding matercard authorization for Gerald Hill, Lloyd moved to approve the recommendation

Rick Hill seconded. Motion Carried.

#### TRIBAL ORDINANCES

Request from Ronald Jones from Flandreau Santee Sioux Tribe for a sample copy of the Bingo, Smoke Shop and Gambling Ordinances. Discussion on this and similar requests being sent out. Jerry suggested sending the ordinance with a cover letter explaining that they use these specific ordinances because they were tailored for our reservation. Rick Hill moved to send the ordinance to the Santee Sioux Tribe and a cover letter be drafted by the attorney for the Chairman to sign. Mark seconded. Rick amended his motion to have the attorney contact the Tribe and any other Tribe to ensure that the request was from an authorized person of that Tribe. It was further amended to have Mark and Rick confer with the Law Office on this draft letter. Mark Seconded. Motion Carried

Loretta moved that the Law Department draw up a policy for future requests from Tribal Governments and include circulating the requests to the Business Committee. Kathy seconded. Motion Carried.

#### INDIAN CIGARETTE TAX ISSUE

In regard to the request from the Menominee Tribe for cooperation and support in assisting the Menominee Tribe to enforce its tribal ordinance no. 79-4 of October 25, 1983, the Law Department has drawn up a draft letter stating that the Oneida Tobacco Enterprises be directed not to sell cigarettes to identified cigarette retailers from other reservations including the Menominee Reservation, stating also that we have taken formal action to recognize the laws of the Menominee Nation Ordinance 79-4 regulating tobacco sales on the Menominee reservation and granting full faith and credit to such laws. Lloyd Powless moved to approve draft letter. Mark seconded. Loretta and Kathy opposed. Motion carried.

Lloyd made a motion that Mark work with the Law Office to clarify the issue of a wholesale policy of the Tribe if there is one and correspondence be sent to the Menominee Tribe in reply to their request and also the second issue of the one carton quantity in their ordinance and how we deal with that. Mark seconded. Motion Carried.

#### BUSINESS MANAGER AND FLOW CHART

Bruce King and Tony Utschig submitted job descriptions for the Business Managers position. Discussion on the responsibilities and the flow chart, how each of these would work. After lengthy discussion, Lloyd Powless moved to approve the recommendation of Tony Utschig with the procedural exception for Bruce King, economic developer to work directly under the Business Committee. Basically putting the two job descriptions together. Loretta seconded. Mark opposed because he feels he has to support the economic developer in his recommendations and in respect to the Committee and their liaison responsibilities. He tends to look at the liaison person and what they are recommending. He feels that he has made a lot of concessions in going over the budget in terms of economic development. Three fourths of what the developer had asked for was deleted with the understanding that it can be modified later on. To accommodate the committee he feels that he has made a lot of concessions. He feels that to be consistent and respectful of the other liaison positions in what they are recommending and he does not feel that this is a right move. He feels that we have staff that are doing their jobs and we have asked for their recommendation and we have received them.

On the motion, Mark, Tony, Lois opposed. Motion carried.

Kathy moved to approve the posting of the Business Managers position, the job description for the internal promotion and if we do not have anyone internally to post externally. (Tony Utschig's job description) The changes in the job description are to be under Duties and Responsibilities, fourth item to add: "with the coordination of the Enterprise Manager and Economic Developer"; item no. 7: change to "Work with the Economic Developer in developing and implementing new business's"; and, under Training and Experience Required: Delete the last sentence of first item. Also, under Duties and Responsibilities, item No. 3, change to Review enterprise performance in conjunction with Enterprise Managers and make recommendations to the Tribal Administrator to improve enterprise performance and accountability. As there was not a second to this motion, Kathy moved to approve the job descriptions as revised. Lloyd Powless seconded. Mark and Tony opposed. Motion Carried.

Lloyd moved to post the job description internally and externally. Rick Hill seconded. Mark, Lois and Tony opposed. Motion Carried.

#### INVITATION TO ARLINDA LOCKLEAR

Jerry brought up meeting with Arlinda Locklear and that she would like to meet with the committee in regard to our land cases in New York. She would like to give a full statement to the committee in regard to the state of our land claims. Discussion on a time to meet. Kathy moved to schedule some time with Arlinda Locklear after the November 9, 1983 meeting but before the 18th and 19th of November. Loretta Metoxen seconded. Kathy amended to include meeting with the community and restricted to Tribal members. Motion Carried.

#### TRAVEL REQUEST

Lloyd moved to approve the travel request of Kathy Hughes of October 27, 1983 to travel to Denver, Colorado to attend the National Tribal Chairman's Association and Tribal Commission meetings on Sunday, November 6 and Monday, November 7, 1983. Lois seconded. Motion Carried. Kathy abstained.

#### FINANCE AND APPROPRIATION

Number 1 and 2 have been acted on in regard to Jerry Hill's modification and Law Department budget.

(3) Lloyd Powless moved to approve the \$463.00 needed for the Future of the Bay Conference. Kathy seconded. Motion Carried. Mark opposed. Lois abstained. request for show of hands on vote. Mark opposed, Rick and Lois abstained. Motion Carried. Lloyd moved to refer Judy Cornelius seat on the Steering Committee of the Future of the Bay organization be recommended by the Land Committee to the Business Committee for approval. Loretta seconded. Stated this was already approved. Lloyd and Loretta withdrew motion and second.

(4) Kathy moved to approve Equipment Acquisitions of Hardware for Health Center of \$1,700. Lloyd seconded. Motion Carried. Mark abstained.

(5) Loretta Metoxen moved to approve New budget for Kalihwisaks. Lloyd Powless seconded. Motion Carried. Lois and Mark abstained.

HOLY APOSTLES CHURCH

In reagrd to memo from Mike Schaepe of October 24, 1983 in which he stated that Father Dolan of the Holy Apostles Church requested that if the Oneida facility is expanded that additonal service be provided to the Church. Lois moved that we take this into consideration whenever we have our expansion put on here. Kathy Hughes seconded. Lois amended her motion to add with a charge for the additional workup. Kathy abstained. Motion Carried.

Loretta Metoxen requested to send out the NCAI report to the officers of NCAI or the Planning Committee. No objection.

Kathy Hughes moved to recess. Lois Powless seconded. Motion Carried. Meeting recessed at 12:05 P.M.

Respectfully Submitted,

  
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Patricia M. Benson, Recording Secretary