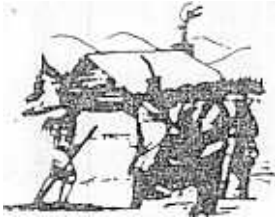


Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



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



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

Approved As
Read/Corrected
7-24-91

SPECIAL MEETING

THURSDAY, JUNE 27, 1991

Present: Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Lloyd Powless, Russell Metoxen, Julie Barton, Mark Powless, Shirley Hill-Council Members, Trish Farmer-Recording Secretary

Excused: Richard Hill-Chairman, Amelia Cornelius-Secretary

Others: Sarah Plummer, David "Sonny" King, Father J. Dolan, Chris Doxtator, Sharon House, Bruce Danforth, Cliff Cornelius, Jerry Kurowski, Ken Metoxen

Due to the Tribal Secretary being in Madison, WI today, an official of the Business Committee must be appointed for certification of documents for NOFAC

Russell Metoxen moved to appoint Lloyd E. Powless as Recording Clerk, Shirley Hill seconded. Motion carried. Lloyd E. Powless abstained.

Due to the lack of a 2/3 majority at the Regular Business Committee meeting on June 26, 1991, the authorization to accept monies from the DNR does not meet the requirements set forth by the DNR. Following is a Resolution to accept these funds and appropriate certification necessary to complete the NOFAC process.

WHEREAS, the Oneida Business Committee has requested funding for Phase II of the Oneida Sewer Project, and

WHEREAS, the Oneida Business Committee has authorized the acceptance of A Notice of Financial Assistance Commitment from the State of Wisconsin Clean Water Fund Program.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe, upon recommendation of the Oneida Utility Commission, hereby accepts the funding for Phase II of the Oneida Sewer Project as set forth in the Notice of Financial Assistance from the State of Wisconsin Department of Natural Resources.

Loretta Metoxen moved to adopt Resolution #6-27-91-A, Mark Powless seconded Motion carried unanimously.

The Business Committee was asked if they would like to continue recording the meeting in regards to the Petition concerns. Loretta Metoxen stated that she felt that because the rates are controversial, the meeting should continue to be recorded. Committee agreed.

The information on the petition was erroneous

RATES:

The Utilities Commission met on June 26, 1991 at 4:30 p.m. to set the rates for both Phase I and II for the sewer and water. The recommended rates are \$20.00 per month for sewer and a monthly charge of a fixed or flat fee of \$6.00 plus \$2.00 per 1,000 gallons of water used. These rates are interim. They are cost adjusting rates and will be in effect for one year, at which time the Commission will be able to provide what actual costs are.

The Utilities Commission has been working with the Utilities Department and McMahon in regards to setting the rates for the project. As it stands right now, if you receive services from the Utilities Department, the charges are as follows:

Just Sewer	\$16.00 per household
Just Water	\$15.50 per household
Both	\$20.50 per household

Difference of \$11.50, which is subsidized through the Tribe for everybody who receives sewer and water.

The subsidizing is mainly for those in Site I and Site II, and the people in Three Sisters would be subsidized through the HUD Project (if they are subsidized at all).

One suggestion in trying to make this project uniform, (so that when the new project goes on line, costs are reasonably as close as can be to the existing costs), is to fund depreciation in the costs. This will provide an automatic reserve account which will provide funding for some rehab work and general maintenance that needs to be done in the future.

The Utilities Commission set a sewer fee of \$20.00 per month, using the existing treatment costs, and using what they project the operations and maintenance costs to be, plus including some administration.

The more users on the system, the less the variable rate will be. The variable cost is how much water the people are going to use. The more water used by the community, the cheaper the rate will be for individuals. (Example: if your amount due is \$50,000, and you have two customers they would have to pay \$25,000 each, if you have 4 customers they would pay \$12,500 each and so on.) Therefore the more customers on the system, the per gallonage cost goes down. Unfortunately as the cost of living increases, it will affect the percentage of rate decrease.

BUDGET:

The Tribe has a standard procedure to pay stipends to those who work on varying commissions. Once the Commission is standardized, they will be receiving a stipend out of the administration line item.

The operations and maintenance budget includes some costs such as the mailing of the sewer bills. There are no operations and maintenance breakouts in the present system due to the fact that these costs are built into the Utilities Department budget. This causes the Utilities Department to be in a deficit.

An agreement has been made by the Utilities Commission and Utilities Department that the monies from the Utility Commission budget will be transferred to pay the Utility Department for doing O&M on their system, and to cover the additional costs for an additional part-time employee. Therefore the Utility Commission will make quarterly transfers to the Utility Department to cover the labor, and operations and maintenance.

The Utility Commission has also funded a vehicle in their budget. If the Utilities Dept. can buy a vehicle outright, the Utility Commission will return payment monthly or quarterly, as indicated above for lease fee payments.

SUBSIDIZATION:

Another option is to make this system totally tribal contribution free other than the debt retirement. This system will maintain itself. To do that, those costs have to go back on the users. Everybody pay the same thing. Questions: Will the Elderly and Low Income be subsidized? What about the people who at present are not paying anything for their sewer and water and are on a fixed income. If the Tribe decides to subsidize in any manner, how do they plan to do it?

Subsidizing is questioned here due to the fact that it would not be fair for a one person household to pay the same as a five person household.

If people use the average amount of water the costs could be \$36.00 per month. This is if they use the average amount. This is why there is a fixed amount plus the variable. The people will get billed \$20.00 for sewer, plus \$6.00 for water and then the variable amount (amount of water used).

Everybody that uses the water should be billed accordingly, but there should also be a list of subsidized people, so the Tribe will know what that particular amount would be. The Tribe needs an amount to build into the budget, before subsidizing can be figured.

Another possibility is that the Tribe pick up the flat fee (\$6.00) and each household pay for the water used.

An application process must be put together for the people who feel they will need assistance to meet these costs per month. This application will have to be income variably based. This application can be set up utilizing the criteria set for housing or for HIP. Again, until the actual costs are available to put in the budget, there may not be funds available for subsidizing.

For the application structure, another thing to take into consideration is extended families. Household income should be utilized versus one person of the family.

At the end of October, which is the timeline for construction, three things will need to be in place very quickly;

- 1) Application process for Assistance from the Tribe to pay for water & sewer monthly usage;
- 2) Lateral monies
- 3) Farmers Home program that provides assistance for elderly and low income on a grant basis for laterals.

LATERALS:

No firm costs on laterals are available at present. Estimates are approximately \$2,500 - \$3,000 per household. This is based on footage, and includes abandoning existing well and septic systems, capping the wells, and doing interior fittings that are necessary.

The Commission has searched all over for outside funding to assist with the lateral costs.

One possible program is Farmer's Home Administration who has a grant program for elderly and low income.

Another possible program is the Wisconsin Rural Housing Program. They may have some funds available.

For those who don't meet income criteria for assistance, the Tribe could finance those individuals and be paid back through a monthly assessment right on their sewer bill or water bill.

IHS ASSISTANCE:

Jerry Kurowski stated that we have to make this a tribal priority and submit an unmet needs list to IHS for FY'92.

David King stated that he felt that the Indian Health Service had previously pulled back services for this project due to the unprofessional tactics the Tribe utilized when appointing an IHS Investigative Committee and not putting limitations on their authority for finding information, as they had never pulled back before.

Sharon Cornelius stated that through trial and error, the Tribe has learned that unless limitations are put on these investigative committees when they are appointed, there is a very good chance that the Tribe as a whole could lose a lot of money. The new investigative bodies should be aware of this factor when they begin their investigations, and the Tribe should also authorize them to only investigate within the Tribe. Professionals should be hired for investigating outside agencies.

There has not been any feedback from the special appropriations requests on funding for laterals.

IHS assisting with laterals -- David King recommends contacting the IHS for funds. Jerry Kurowski recommended that the Business Committee send a letter explaining needs as per laterals.

The Utilities Commission will be meeting soon and all the pertinent information will be available for the letter of request to IHS.

Recommendation that the Business Committee also send a letter to IHS explaining the Tribe's situation in regards to the IHS Investigative Committee. The letter should summarize the results of the investigation in a positive way.

OTHER:

All rates were based on residential rates and not business rates.

The NHC is utilizing too much water. The EPA may have some funds available to start up a project to correct this.

Site II Lagoon is at capacity and no room to expand.

Sharon House recommends that the Commission do a comparison of costs from other areas like Dykesville and Bear Creek. Also the monthly costs, and one straight amount for how much it costs for what the Tribe has to pay for emptying everybody's septic, and have this information available for the General Tribal Council meeting.

Mock bills will be set up in display area at the General Tribal Council meeting on Monday, for viewing of what they'll look like.

BILLING:

Billing recommendation is to sub bills out to the Suamico Sanitary District for an estimate of \$3,000 per year. This includes utilizing their program, computer generated bills, mailing (we pay postage).

There is a possibility of setting up a system with DePere Credit Union to take the payments for sewer and water. Direct deposits from paycheck could also be arranged.

ACTION:

Question on the floor is do we subsidize or not? Business Committee needs to inform the Utilities Commission if we want to subsidize or not, and then the Utilities Commission can provide a recommendation on how to do it afterwards.

The subsidizing has been coming from the Utilities Department thus far

Sarah Plummer is requesting the Business Committee to concur with the recommended rates submitted by the Utilities Commission.

The people in the Housing can request assistance (subsidization) from the HUD Office. The Utilities Commission could make recommendation to OHA to make a request from HUD for subsidizing assistance.

Vice-Chairperson Doxtator was called out of the meeting.

During this intermission, the Utilities Commission called a meeting to order.

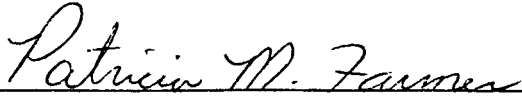
Vice-Chairperson returned. Business Committee meeting continued.

The Utilities Commission then made a verbal formal request to the Business Committee, to be backed up in writing, that the Business Committee consider a subsidy for low income families.

Lloyd Powless moved to concur with the rates set by the Utilities Commission, Mark Powless seconded. Motion carried unanimously.

Shirley Hill moved to defer the request to consider subsidization for low income families until the next Business Committee meeting, July 3, 1991, Julie Barton seconded. Motion carried unanimously.

Shirley Hill moved to recess, Julie Barton seconded. Motion carried unanimously.



Patricia M. Farmer
Patricia M. Farmer, Recording Secretary
Oneida Business Committee